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ABSTRACT

About 1.5 million people in the United States identify themselves as Indians. Despite great cultural diversity, all Native groups have a common feature: they suffer poverty and related problems stemming from their relationship to White America. For four generations, the Bureau of Indian Affairs (BIA) has exercised an incredible degree of economic and political control over Native communities, preventing the development of economic independence or true self-determination. The BIA is a rigid autocratic bureaucracy whose policies are formed in response to changing political fashions and whose institutional structure creates conflicts of interest over natural resources on Indian lands. The BIA's deficiencies are demonstrated in two case studies examining Northern Cheyenne coal resources and land rights and Paiute water rights near the Nevada/California border. This report then traces the history of Indian-White relations and developments in federal Indian policy, concentrating on the Dawes Act, the Meriam report, and policy changes from the Nixon to the Reagan presidency. Despite encouraging changes in governmental attitudes, as evidenced by Presidential proclamations and federal legislation, the majority of Americans continue to hold stereotypes that leave them unprepared for Indian demands and aspirations. The best hope of avoiding a backlash lies in educating non-Indians about the culture, history, and current predicament of Native peoples. (SV)

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The Original Americans: US Indians

A Minority Rights Group Report

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- To secure justice for minority or majority groups suffering discrimination, by investigating their situation and publicising the facts as widely as possible, to educate and alert public opinion throughout the world.
- To help prevent, through publicity about violations of human rights, such problems from developing into dangerous and destructive conflicts which, when polarised, are very difficult to resolve; and
- To foster, by its research findings, international understanding of the factors which create prejudiced treatment and group tensions, thus helping to promote the growth of a world conscience regarding human rights.

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The Original Americans: US Indians

By James Wilson

James Wilson has been, at various times, a social worker, teacher and researcher for the media and non-government organizations. He has been involved in the fight for the rights of tribal peoples through Survival International. He wrote *Canada's Indians* for MRG in 1974, updated in 1982, and travelled throughout the United States in 1975/6 and again in 1985 to write this report. He would like to gratefully acknowledge the help of the following people in the production of this report:

Suzan Harjo and *Karen Funk* at the *National Congress of American Indians; Faith Mayhew, Chuck Kimbol* and other members of the *Klamath Tribe; Gerald Clifford* and *Charolotte Black Elk* of the *Black Hills Steering Committee; John Steel* of the *Pine Ridge Tribal Council; Ben Black Bear* of the *Rosebud Tribal Council; Ronnie Lupe*, Chairman of the *White Mountain Apache Tribe;* the offices of Senators *John Melcher* and *Bill Bradley; Leroy Clifford* and *Phil Corke* of the *Bureau of Indian Affairs; Albert White Hat;* and *Cho and Janet Yue.*

The cover photo shows marchers taking part in the Longest Walk, 1978. (Photo by Dick Bancroft)

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The Original Americans: US Indians

by James Wilson

'There is only one colour of mankind that is not seated in the United Nations – the red man of the western Hemisphere'

– William Means of the International Indian Treaty Council, 1981

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THE UNITED NATIONS
UNIVERSAL DECLARATION OF HUMAN RIGHTS

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from any fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if a man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore,

THE GENERAL ASSEMBLY

proclaims

THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3. Everyone has the right to life, liberty and security of person.

Article 4. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6. Everyone has the right to recognition everywhere as a person before the law.

Article 7. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8. Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9. No one shall be subjected to arbitrary arrest, detention or exile.

Article 10. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11. (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12. No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13. (1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14. (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15. (1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16. (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17. (1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

Article 18. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19. Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20. (1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

Article 21. (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22. Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23. (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interest.

Article 24. Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25. (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26. (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27. (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

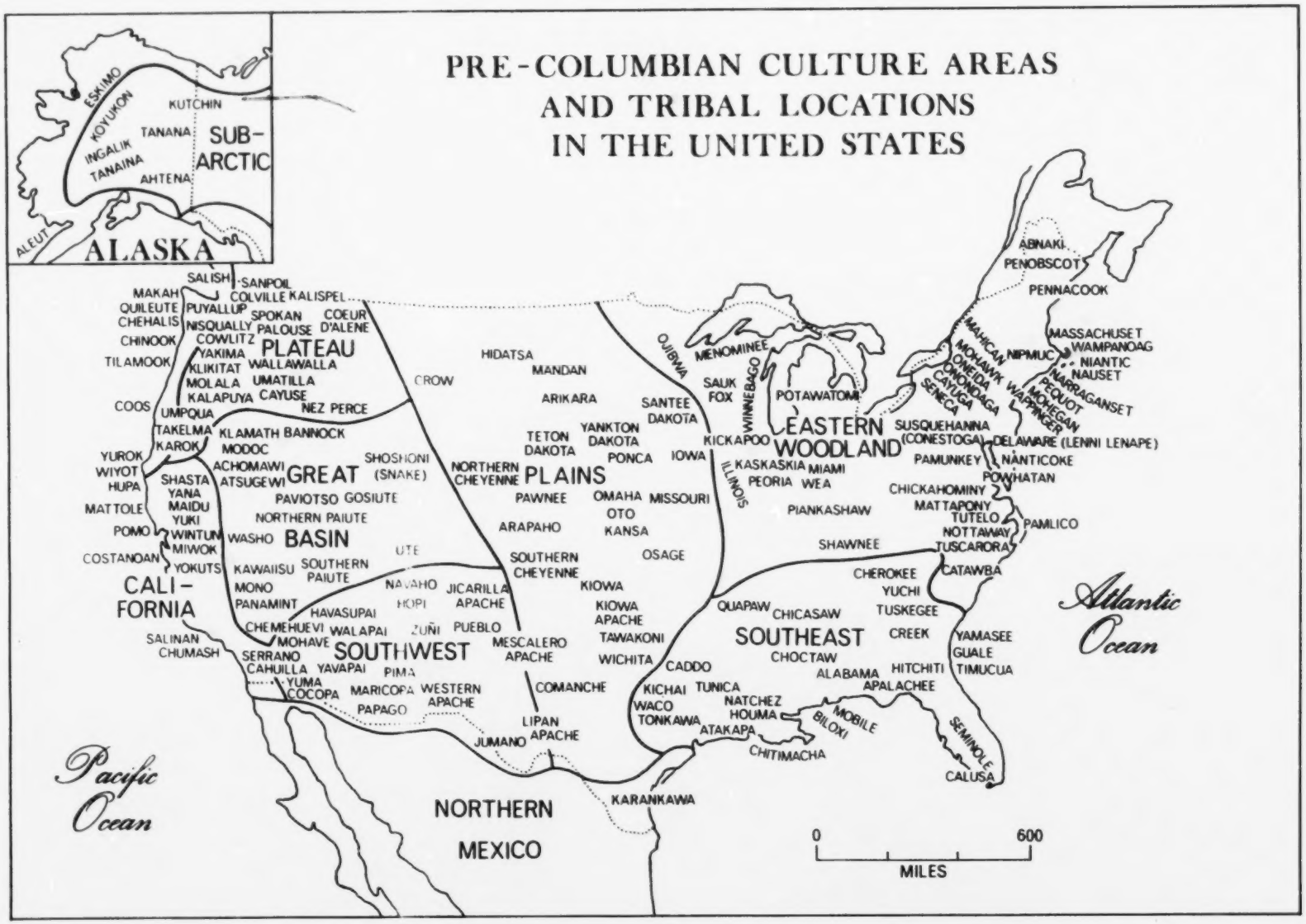
Article 28. Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29. (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30. Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.


PRE-COLUMBIAN CULTURE AREAS
AND TRIBAL LOCATIONS
IN THE UNITED STATES
ALASKA
ESKIMO
KOYUKON
KUTCHIN
TANANA
INGALIK
TANAINA
AHTENA
SUB-ARCTIC
ALEUT
SALISH
SANPOIL
COLVILLE
KALISPEL
MAKAH
QUILEUTE
CHEHALIS
PUYALLUP
NISQUALLY
SPOKAN
PALOUSE
COEUR D'ALENE
CHINOOK
COWLITZ
YAKIMA
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WALLAWALLA
UMATILLA
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MOLALA
KALAPUYA
CAYUSE
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COOS
UMPQUA
NEZ PERCE
TAKELMA
KLAMATH
BANNOCK
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MODOC
YUROK
WIYOT
HUPA
ACHOMAWI
ATSUGEWI
SHOSHONI (SNAKE)
GREAT BASIN
SHASTA
YANA
MAIDU
YUKI
PAVIOTSO
GOSIUTE
MATTOLE
NORTHERN PAIUTE
POMO
WINTUN
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COSTANOAN
YOKUTS
KAWAIISU
SOUTHERN PAIUTE
MONO
PANAMINT
CALI-FORNIA
SALINAN
CHUMASH
SERRANO
CAHUILLA
CHEMEHUEVI
WALAPAI
HAVASUPAI
MOHAVE
YAVAPAI
NAVAHO
HOPI
JICARILLA APACHE
ZUÑI
PUEBLO
PIMA
SOUTHWEST
YUMA
COCOPA
MARICOPA
PAPAGO
WESTERN APACHE
LIPAN APACHE
JUMANO
MESCALERO APACHE
COMANCHE
HIDATSA
MANDAN
CROW
ARIKARA
SANTEE DAKOTA
TETON DAKOTA
YANKTON DAKOTA
PONCA
NORTHERN CHEYENNE
NORTHERN PLAINS
PAWNEE
OMAHA
OTO
MISSOURI
ARAPAHO
KANSA
SOUTHERN CHEYENNE
OSAGE
KIOWA
KIOWA APACHE
TAWAKONI
WICHITA
CADDO
KICHAI
TUNICA
WACO
TONKAWA
ATAKAPA
KARANKAWA
NORTHERN MEXICO
OJIBWA
MENOMINEE
WINNEBAGO
SAUK FOX
POTAWATOMI
KICKAPOO
ILLINOIS
KASKASKIA
PEORIA
MIAMI
WEA
PIANKASHAW
EASTERN WOODLAND
ABNAKI
PENOBSCOT
PENNACOOK
MASSACHUSET
WAMPANOAG
MAHICAN
NIPMUC
NIANTIC
NAUSET
MOHAWK
ONEIDA
ONONDAGA
CAYUGA
SENECA
NARRAGANSET
PEQUOT
MOHEGAN
WAPPINGER
SUSQUEHANNA (CONESTOGA)
DELAWARE (LENNI LENAPE)
PAMUNKEY
NANTICOKE
POWHATAN
CHICKAHOMINY
MATTAPONY
TUTELO
PAMLICO
NOTTAWAY
TUSCARORA
SHAWNEE
CHEROKEE
CATAWBA
YUCHI
TUSKEGEE
QUAPAW
CHICASAW
CREEK
SOUTHEAST
CHOCTAW
ALABAMA
HITCHITI
APALACHEE
YAMASEE
GUALE
TIMUCUA
NATCHEZ
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Pacific Ocean
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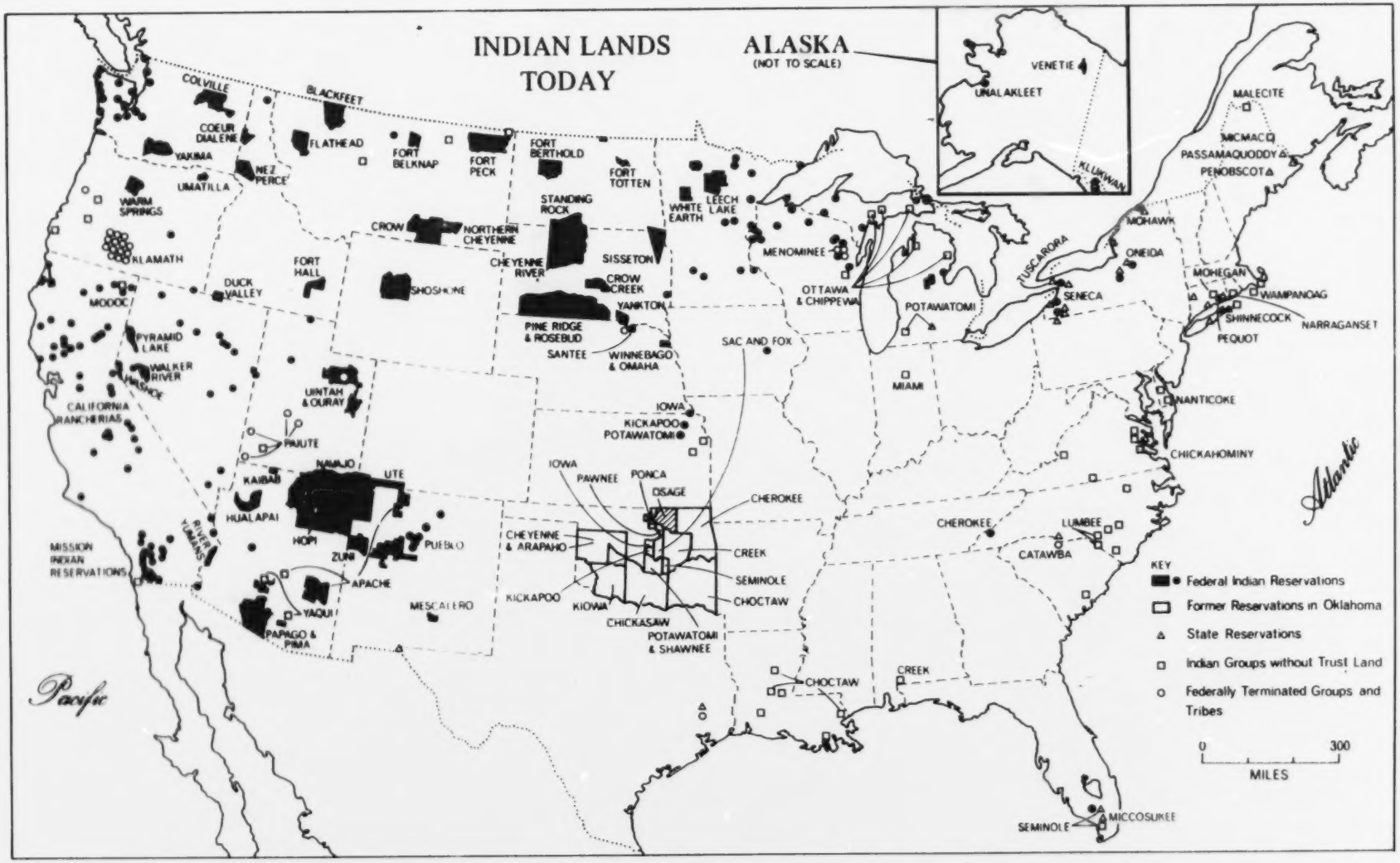
INDIAN LANDS TODAY
ALASKA
(NOT TO SCALE)
VENETIE
UNALAKLEET
KLUKWAN
COLVILLE
BLACKFEET
COEUR DALENE
FLATHEAD
FORT BELKNAP
FORT PECK
FORT BERTHOLD
FORT TOTTEN
YAKIMA
NEZ PERCE
UMATILLA
WARM SPRINGS
STANDING ROCK
WHITE EARTH
LEECH LAKE
CROW
NORTHERN CHEYENNE
CHEYENNE RIVER
SISSETON
KLAMATH
FORT HALL
DUCK VALLEY
SHOSHONE
CROW CREEK
YANKTON
MODOC
PYRAMID LAKE
PINE RIDGE & ROSEBUD
SANTEE
WINNEBAGO & OMAHA
WALKER RIVER
UINTAH & OURAY
CALIFORNIA RANCHERIAS
PAIUTE
IOWA
KICKAPOO
POTAWATOMI
NAVAJO
UTE
KAIBAB
IOWA
PAWNEE
PONCA
OSAGE
CHEROKEE
HUALAPAI
HOPI
ZUNI
PUEBLO
CHEYENNE & ARAPAHO
CREEK
SEMINOLE
MISSION INDIAN RESERVATIONS
RIVER YUMANS
APACHE
KICKAPOO
KIOWA
CHOCTAW
YAQUI
MESCALERO
CHICKASAW
POTAWATOMI & SHAWNEE
PAPAGO & PIMA
Pacific
CHOCTAW
CREEK
SEMINOLE
MICCOSUKEE
MENOMINEE
OTTAWA & CHIPPEWA
POTAWATOMI
SAC AND FOX
MIAMI
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SENECA
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MOHEGAN
WAMPANOAG
SHINNECOCK
PEQUOT
NARRAGANSET
NANTICOKE
CHICKAHOMINY
Atlantic
CHEROKEE
LUMBEE
CATAWBA
KEY
Federal Indian Reservations
Former Reservations in Oklahoma
State Reservations
Indian Groups without Trust Land
Federally Terminated Groups and Tribes
0
300
MILES

INTRODUCTION

Over the past five hundred years Europeans and their descendants in the Western Hemisphere have made the original American one of the most potent symbols in their culture, but the great majority of Americans still know virtually nothing about the indigenous people. This is not a superficial paradox; it is crucial to the native situation today. Since Columbus first called them 'Indians' under the misapprehension that he had reached Asia, the original inhabitants of America have been consistently misinterpreted and misrepresented to make them fit the framework of a European world-picture and European aims. Generations of whites have revised the misconceptions of their predecessors to make them suit the political and philosophical prejudices of their own day. As the Indian has become a shadowy and elusive figure, pushed to the fringes of American life and increasingly obscured by a growing mass of fable and half-truth, he has been replaced in the popular imagination by a series of powerful but simplistic stereotypes: the Noble Savage exalted by eighteenth century philosophers; the bloodthirsty brute obstructing the path of Victorian Progress; the lazy drunk, squandering the taxpayers' money, who ought to be thrown off the reservation to fend for himself; the oil-rich Indian, just like everyone else except that he sometimes puts on a colourful costume and dances.

These caricatures represent far more than white people's reluctance to understand diverse and complex cultures very different from their own; they are part of the mythology by which the United States, a predominantly decent country dedicated to the highest principles, has disguised the fact that it grew to greatness by dispossessing and very nearly exterminating a number of viable and flourishing human societies. This fact has determined, in a very practical way, the nature of Indian life today. From the earliest colonial days, the seizure of tribal land was justified by presenting the native as a scarcely-human creature lacking in finer feelings, moral sensibility and the capacity to own property. When at the end of the nineteenth century the Indians were finally reduced to complete dependence on their conquerors it was for this grotesque figure that the government framed its native policy. The individual Indian, a child-like incompetent whose primitive race was doomed and whose feeble culture barely merited the name, was to be saved by becoming – under compulsion if necessary – a brown-skinned white person who could then be absorbed in the superior Anglo-Saxon civilization. A vigorous programme was undertaken to bring about this transformation and – not suprisingly, given the unreality of its premise – it failed. But in the process of failing it created a political and economic system that has made Indians the poorest and most depressed ethnic group in the United States, and has kept them so physically and culturally hidden that the fantasies on which it is based have been perpetuated. In this report I shall try first to show how this system, by continuing to dominate and impoverish native people, constitutes the major factor in the 'Indian Problem' today, and then to consider how the present situation developed and how the past will affect the kind of solution that may be possible in the future.

I. WHO ARE THEY?

There is no overall legislative or judicial definition of who an American Indian is – the criteria used differ both from one tribe to another and among the various government agencies concerned with Indians – but the U.S. Census would suggest that there are about one and a half million people in the United States today who identify themselves as Indians. They are all descended in some degree from the original inhabitants of North America, but – contrary to one of the most persistent illusions about them – they do not form a homogeneous population; they are scattered through most of the states, though with a heavy concentration in the west and southwest, and display enormous social, cultural, economic and linguistic differences that reflect both the huge diversity of the pre-Columbian tribes and nations and their disparate experiences since the arrival of white people. The great majority of the Indian population today is made up of members of the 283 tribes in the mainland United States which are recognized by the Bureau of Indian Affairs and which receive, usually under the terms of nineteenth century treaties by which they ceded the bulk of their territory, special federal services and federal trusteeship for their remaining lands and assets. Recognized tribes range in size and character from the Navajo, with a reservation of more than 22,000 square miles and a population (many of whom are illiterate and cannot speak English) of more than 130,000, to tiny bands of fewer than a hundred individuals with a few acres on the Pacific coast and to groups such as the Osage in Oklahoma who in most outward respects are almost indistinguishable from their white neighbours. The B.I.A. also recognizes about two hundred Inuit (Eskimo), Aleut and Indian communities in Alaska. In addition, there are a number of groups that regard themselves as Indian although they are not officially recognized: several tribes and bands, primarily in the far west, had their special Federal relationship terminated in the 1950s and 1960s, while other communities, mainly in the east, have never enjoyed Federal recognition at all. Almost half of all Indians now live in towns or cities, where they cease to be eligible for B.I.A. services, but most of them have moved only to find work and many of them plan one day to leave what is to them an alien environment and return permanently to the reservation.

What gives these widely-differing groups some kind of common identity is the fact that they all suffer, to a greater or lesser extent, from a series of problems stemming from their historical and current relationship with white America. To begin with, the majority of Indians are very poor. According to the Census for 1970*, the average per capita income for Indians was $1,573, substantially lower than the figures for blacks and hispanics and less than half that for whites, but this statistic by itself disguises the true nature and extent of the problem for most native people because urban Indians tend to do better financially than other racial minorities. The same census found that for all *rural* Indians the annual per capita income was $1,140 and for those on the 115 largest reservations it was $974, so it is clear that the root of Indian poverty lies in the Indian homelands where the majority of native people still live. Other findings confirm the appalling conditions on most reservations. A survey carried out in January 1985 found that nearly half the potential Indian labour force have no work, and that in some areas unemployment is as high as 75%. There is an acute housing shortage in many communities and about 55% of existing homes are sub-standard. The incidence of almost every known communicable disease is far greater among Indians than among the population as a whole: native people are, for example, over six times more likely to contract TB than other Americans, and infectious illnesses prove fatal far more often among Indians than non-Indians.

The poverty of the reservations is a direct result of the authorities' contempt for the tribal Indian and their consequent lack of faith in his ability to run his own life. Convinced that the tribes had no future, the government forced them, by bullying and legislative compulsion, to part with 64% of the land which they still retained at the end of the Indian Wars in the 1880s and on which they could have supported themselves while they found a place in American life. Today less than 53 million acres – excluding the 40 million acres recently awarded to the Alaskan Natives – remains, all of it eroded, much of it in areas where there is an acute shortage of water and most of it severely limited in economic potential. The B.I.A. estimates that more than three-quarters of Indian land is suitable only for grazing, the least intensive and – on a per acre basis – least profitable form of agriculture, while less than a tenth has commercially viable reserves of oil, gas or minerals. Most Indians have acquired neither the skills nor the capital required to undertake successfully the kind of enterprise that would make the best use of their meagre resources. As a result of legal entanglements, moreover, about 25% of all remaining Indian land is now more or less permanently in non-Indian hands.

These difficulties have been intensified by the fact that the Indian population, which by the end of the nineteenth century had been reduced by disease and warfare to about a tenth of its pre-Columbian level and was confidently expected to disappear altogether, has in fact increased approximately fivefold over the last hundred years and is still continuing to rise. With every year, therefore, the Indian land-base becomes less able, in the words of B.I.A., 'to provide a decent livelihood for the population it must support'.

* Figures from the 1980 Census are not available in this form. Personal observation, however, suggests there has been little overall improvement in the situation since 1970.

Poverty is only the most tangible problem caused by the government's historic policy towards the Indians. Less easily measured, but probably even more catastrophic, have been the social and psychological results. For three generations the B.I.A. has tried, with varying degrees of determination, to undermine the personal ties, the tribal identity and the cultural self-confidence of the native in order that they should be 'educated' for life in an alien world, and for most Indians during this period the only alternative to an impoverished and stultifying existence devoid of opportunity has been what seemed a complete abandonment of family and background. As a result, many native people are understandably depressed, lacking in initiative and self-assurance and unable to live successfully either in their own culture or white people's, and their distress and sense of futility can be seen in the violence, apathy, drunkenness and despair found on many reservations. Among native children in school the drop-out rate ranges from 45% to 62%. The Indian suicide rate is twice the national average, and suicides and accidents, most of them related to alcohol or drug abuse, between them constitute the biggest single cause of Indian deaths. Cirrhosis of the liver, a disease almost exclusively associated with heavy drinking, is the fourth most common cause. A comparison between reservations and country areas as a whole shows that while crimes against property are only half as frequent on reservations as elsewhere, crimes of violence are up to ten times *more* frequent.

Since the late 1980s there have been several serious attempts to improve this situation. Successive Presidents have proclaimed a more enlightened attitude towards native people and have created Task Forces or Commissions to investigate and suggest solutions to their problems. Congressional appropriations for Indian programmes have risen sharply, standing (notwithstanding cutbacks by the Reagan administration) at over $2,000,000,000 in the 1983 fiscal year. Despite these changes, however, there has been little fundamental improvement in the circumstances of Indian existence. The explanation of this failure is not that the Indian is a lazy no-good or the white an unregenerate hypocrite; it is that the central reality of the Indians' situation, their abject dependence on the U.S. government, has remained substantially unaltered. With a few notable exceptions, especially in the area of education, the main effect of increased government spending has simply been to increase the already disproportionate involvement of the government in Indian life.

It is difficult for an outsider to grasp just how overwhelming this involvement is. A visitor to a reservation can glimpse it in the often depressingly uniform houses, which tend to suggest a hastily-improvised prison-camp rather than an organic community, but it goes far deeper than physical conditions, pervading every aspect of Indian experience. Although in theory the tribes are semi-autonomous, the Assistant Secretary for Indian Affairs has ultimate control over their constitutions, the composition of their governments, their power to make contracts, the disposition of their property and the planning, funding and implementation of most of the programmes that affect them. Efforts to make them more independent by transferring some of these responsibilities to their own governments have been largely ineffective because there has been no commensurate transfer of economic power. While the Bureau of Indian Affairs continues to control the purse-strings, genuine tribal self-determination is clearly impossible, and with the growing incapacity of most Indians to support themselves on their own land their economic dependence on the government has increased rather than diminished. In conjunction with other Federal agencies such as the Department of Health and Welfare, the Bureau of Indian Affairs now provides more than half the jobs and three-fifths of the personal income in reservation communities. These figures are even higher on the majority of reservations where there are no significant alternative sources of employment and wealth. At Pine Ridge in South Dakota, for instance, unemployment runs at around 80% and the minority with jobs almost all work for either the federal or the – federally-funded – tribal government. The utter dependence of the Pine Ridge community is shown by the fact that the average per capita income there (approximately $2,650 in 1980) is roughly the same as the government's annual expenditure per reservation Indian (some $2,700 in 1983). Most people on Pine Ridge and similar reservations are able to engage with the economy only to the extent of drawing a regular welfare cheque, and over the years a 'welfare society' has developed, characterized by delinquent behaviour and family breakdown, whose members not only have no work but do not know how to work. Even in those tribes which do have exploitable resources, the B.I.A.'s power to veto decisions has allowed it to keep its stranglehold on the life of the community and thwarted genuine attempts at economic self-determination.

This situation, which subjects native people to a degree of arbitrary political control and interference unthinkable to other Americans, has been the norm for four generations. For many Indians, who have never known anything else, a genuine change for the better now seems literally unimaginable, but if it is to come there must clearly first be a fundamental change in both the functions and the nature of the B.I.A.

II. A TRUST BETRAYED

There are three major reasons why the Bureau in its present form is an oppressive institution, unresponsive to the Indians' wishes, often inimical to their interests and intensely resistant to change. First, its policies are decided not by the Assistant Commissioner who heads it but by the Congressional Committees on Interior and Insular Affairs and by the Indian section of the Bureau of the Budget, all of which are subject to changing political fashions in the country at large and have been traditionally unsympathetic to Indian demands for self-determination. Second, the organization of the Bureau itself is autocratic and immensely rigid, designed to ensure the Indians' docility and smother their initiative by means of a reward system and a structure that makes the upward movement of opinions and ideas almost impossible. There are three echelons of authority and numerous divisions and sub-divisions which, as the authority on Indian Affairs, Alvin Josephy Jr., put it, 'requires actions moving up and down to go sideways also, back and forth, on each level' and so 'result inevitably in slowness, frustrations, and negativisms, as well as a continuing Niagara of studies, assessments, opinions and reports. The Bureau in consequence is literally drowned in paperwork, while on the reservation level the Indian waits'. Communications between different levels and departments are so inefficient and cumbersome that the majority of B.I.A. employees who are genuinely concerned with the Indians' interests are inevitably frustrated, and the minority who are so negligent or corrupt that they abuse their position to permit the continued despoliation of Indian lands and resources can seldom be singled out from the bureaucratic machine and held to account. The reservation Indians themselves are effectively stifled: as Professor Leon Osview wrote in an analysis made in 1968:

'. . . One thing does seem certain: the present structure not only serves to reward unaggressive behaviour and docility, but punishes, usually by transfer, those who persist in behaving like leaders. The reward system of B.I.A. discourages leadership, on purpose. It is, therefore, not possible to conceive of change and improvement within the present structure.'

The third reason why the B.I.A. often runs counter to the needs of the people it is supposed to serve stems from its position in the Department of the Interior, where it comes under the authority of the Assistant Secretary for Public Land Management. Although, given the fact that the Bureau's original function was to hold the reservations in trust for the tribes, this seems at first sight a reasonable arrangement, in reality it leads to innumerable conflicts of interest – in which the Indians are invariably the losers – between the B.I.A. and other departments which may be competing for use of the same natural resources. This internal contradiction is particularly disastrous in the water-short areas where most reservation land is situated.

It would be impossible to catalogue all the ways in which these grave inadequacies affect native people, but anyone who has encountered a particularly obstinate and unreasonable bureaucracy will have a faint glimmering of the everyday experiences which sap and demoralize the majority of reservation Indians and frustrate many B.I.A. officials as well. Two fairly typical examples, however, will suggest the almost incredible extent of the Bureau's most critical deficiency: the colossal dereliction of its trust obligations and its consequent failure to allow native people to build any kind of a base on which they could provide permanently for themselves.

Land rights

The first case shows the B.I.A. in its capacity as steward of the Indians' resources. The Northern Cheyenne, a tribe of about 3650 people, occupy a reservation of 433,434 acres in eastern Montana which was originally established in 1886 after a small group of Cheyenne broke out of confinement in Oklahoma and trekked heroically back to their homeland. Despite repeated attempts to de-tribalize them and part them forcibly from their land, the Northern Cheyenne have clung tenaciously to their traditional culture and seem as a result to have suffered less than most Indians from the problems of social disintegration. Despite a successful tribal cattle-raising operation, however, they have for the most part remained endemically poor, without capital or training and with an arid land-base offering few obvious economic opportunities. The Tribal Council was, therefore, understandably pleased when in 1965 a mining company showed serious interest in the reservation's newly-discovered resources of coal, which a recent government survey had put at between 2 and 10 billion tons. The B.I.A. superintendent was enthusiastic and the Council, having been told that there would only be a market for coal for a limited period, asked him to arrange a contract. A permit was drawn up by the B.I.A. and in 1966 it was auctioned to a subsidiary of the Peabody Company; it allowed exploration of 94,000 acres and carried the right to a mining lease by which the Indians would receive 17.5 cents per ton for coal delivered off their land and 15 cents for coal consumed on the reservation, rising to respectively 20 cents and 17.5 cents after ten years. These rates were low at the time; a lease sold in the same year in the southwest secured, on average, 38% more for the sellers and allowed for an increase should the market price of coal rise. The B.I.A. drew up and sold two more Northern Cheyenne coal permits, in 1969 and 1971, both of which followed the pattern of the first and thus gave the tribe terms that were increasingly unfavourable in a time of mounting energy costs.

Far more serious than this economic consideration, however, was the fact that the B.I.A. made no attempt either to warn or to protect the tribe against the possible dangers of development. During the 1960s there was growing awareness of the devastation that strip-mining had caused in other parts of the country, and in 1965 Congress passed the Appalachian Regional Development Act, instructing the Secretary of the Interior to study the problem and institute effective measures to control it. No such measures were incorporated in any of the Cheyenne coal permits. In 1969, before sales 2 and 3, the Secretary issued his own regulations, 25 CFR Part 177, which specified a comprehensive procedure to reduce the hazards and deleterious effects of surface mining on Indian land. Technical examinations were to be made before any permits were drafted in order to establish the likely cultural, environmental and ecological consequences of specific projects, and a full report was then to be made to the tribe so that it could decide whether or not to sell. No such examinations or reports were made prior to sales 2 and 3, and sale 3, in addition, contravened two further pieces of legislation passed in 1970 and ignored a United States Geological Survey recommendation concerning coal royalties made in 1971.

In 1972, after the General Accounting Office had sharply criticized the Interior Department for failing to implement its own regulations, there was a feverish correspondence between the B.I.A.'s Washington headquarters and its area office in Billings, Montana. As a result, in 1973 the Bureau issued two documents which complied with 25 CFR Part 177 – except that they recommended sales 2 and 3 respectively 45 months and 23 months *after* they had taken place. In its belated technical examinations, the B.I.A. listed a number of risks, including 'Destruction of Cheyenne culture – the lifestyle of the people', 'Cheyenne become a minority in their own homeland' and 'pollution of all sorts, i.e. human, cultural, air, sound, noise etc.' That these warnings were not merely the product of a fanciful imagination is suggested by the fact that exploitation of Cheyenne coal was part of a plan, revealed by 35 energy suppliers in 14 states in 1971, to transform some 250,000 square miles of the northern plains – an area containing 20% of the world's known coal reserves – into a gigantic power station which could fuel America for between 4 and 6 centuries. The scale of the scheme was such that a non-Indian city of 40,000 people was envisaged for the Cheyenne reservation (and one of 200,000 for the adjoining Crow reservation) but the B.I.A. did not feel these circumstances justified making any clauses for the protection of the Indians 'binding upon the lessees'.

Thoroughly alarmed at the situation into which the protectors of their lands had brought them, the Cheyenne asked that all the leases, which between them opened 56% of the reservation to mining, should be withdrawn on the grounds that they were illegal. In June 1973 the Secretary of the Interior decided that the agreements did violate a regulation limiting the size of any single leased area and admitted that there had not been proper statements on the impact of development; he ordered that prospecting permits where leases were still pending should not be completed but denied all the tribe's other claims. The Northern Cheyenne therefore decided to seek redress through the judicial system. They promptly took the Department of the Interior to court, where their lawyers asserted that a total of 36 B.I.A. transgressions invalidated the leases, but the case quickly became lost in the lengthy and expensive legal process. Finally, after six years and apparently no closer than ever to a decision, they turned to one of the Senators for Montana, John Melcher, and asked him to introduce a bill revoking the leases by act of Congress.

Melcher agreed and the Northern Cheyenne Coal Lease Cancellation Act became law in 1980. The leases were withdrawn and the three coal corporations involved were compensated at public expense. There was no compensation for the tribe, nor were any B.I.A. personnel ever brought to account.

The tribe's problems were still not at an end, however. Having prevented the effective destruction of their own land, they find that they are now threatened by government plans to mine a huge area abutting the reservation to the east. The new scheme would bring them most of the physical and social costs of development without its benefits, and would cause massive pollution on the reservation, which the Tribal Council has recently designated a Class A zone (the highest grade) for air quality. The plan is now the subject of yet another court case, with the Cheyenne arguing that when assessing the likely environmental impact of development the government took no account of the Indians' existence at all. A Federal judge has agreed with them to the extent of ordering that the project should be delayed for ten years while further research is carried out into its probable effects.

The experience of the Northern Cheyenne highlights the degree to which the reservation Indians' dealings with the outside world are mediated through the B.I.A. The one chance they had to develop their resources and to engage economically with the greater American society was a B.I.A. plan to sell off their assets on highly unfavourable terms which would have effectively destroyed them as a tribe. Having successfully – although at great expense – resisted it, they have simply been allowed to sink back into poverty and isolation. When I visited the reservation in August 1985 I found a widespread feeling of bitterness about this situation. The Council members I spoke to felt the tribe was being completely ignored and that no serious attempt was being made to devise an alternative strategy to help it overcome its perennial economic problems. One man, angry that the Cheyenne's only choice seemed to be between selling out to the coal companies and complete stagnation, said: 'The Chairman of Peabody Coal wouldn't be told the only way he could get help was to dig up his back yard.' The Council believe they are being denied the kind of help that is automatically available through a variety of different agencies not only to poor communities in America but also, in the form of aid, to other countries. 'We want to be treated the same way as other old enemies of the United States', I was told. 'Forty years ago Japan and Germany were fighting this country and look at the help they've had with their economies. We stopped fighting a hundred years ago and we've had nothing. Nothing.'

Water-rights

The second example focuses on the crucial issue of water-rights, which vitally affects the bulk of Indian land and thus the existing or potential livelihood of most reservation Indians. The magnitude of the problem can only be seen by following the long case-history from its beginning.

In 1859 a reservation was created around Pyramid Lake, near the Nevada/California border, for a band of Paiutes who had lived in the area since time immemorial. The Indians had developed an efficient and prosperous way of life based on harvesting the rich supplies of cui-ui fish – a species found nowhere else – and Lahontan cutthroat trout with which the lake abounded, and their

treaty with the government was specifically designed to let them continue this traditional existence relatively undisturbed. During the first decade of this century, however, under the provisions of the Reclamation Act of 1902, the Department of the Interior, the Indians' guardian, undertook a scheme proposed by its own Bureau of Reclamation to irrigate a million acres of land south of Pyramid Lake for the benefit of white farmers. This venture, the Newlands Project, involved building the Derby Dam on the Truckee River which feeds the lake and diverting water through the Truckee Canal, and as a result a series of disastrous changes began to occur. Lake Winnemucca, fed by overspill from Pyramid Lake, dried up altogether and the level of Pyramid Lake itself started to fall sharply, increasing the salinity of the water and causing a sand bar to form across the mouth of the river so that fish could not travel upstream to spawn. The government was undisturbed by these developments because although the Paiutes legally enjoyed first-user rights to the Truckee River in order to maintain their lake and their way of life, the B.I.A. had already decided that they were to be farmers instead of fishermen. A small part of the land was irrigated and some cattle were introduced on to the reservation.

Incursions into the Indians' property, meanwhile, had not been confined to water. In the latter part of the nineteenth century a number of whites had squatted on the reservation and in 1924 the government decided to legalize the theft by making them pay a small 'sale-price' to the tribe. Five families defaulted even on these inadequate payments, and the Department of the Interior, with no conflict of interest on this occasion, represented the Indians and won a long legal battle to have the whites removed. No-one could be found to serve the eviction orders, however, because the local U.S. Marshals were all appointed by the trespassers' principal advocate, Senator Pat McCarran, so the Paiutes fenced the disputed land back into the reservation. In 'retaliation' for this action neighbouring farmers cut the Indians' irrigation channels and Paiute cattle started to die for lack of winter hay.

By the outbreak of the Second World War the Lahontan trout was extinct in the lake and the cui-ui was struggling for survival, and the demand for water was still rising daily from non-Indian farmers and growing urban centres such as Reno and Sparks. In order to adjudicate use of the Truckee River the Department of the Interior won another series of cases which resulted in the Orr Ditch Decree of 1944, but this time the Bureau of Reclamation, whose main concern remained the Newlands Project, was the prime mover, and no water was requested or given for Pyramid Lake. The Indians were awarded nothing except a small allowance for irrigation, stock and domestic purposes only, but they in fact received no more than a fifth of this amount because the allocation was based on how much land they actually had under cultivation at the time.

In the next decade Pyramid Lake was kept barely alive by springs and underground sources, leaks in the Derby Dam and floodwater which the Newlands Project could not use. In 1955, however, the Bureau of Reclamation persuaded the Secretary of the Interior to embark on the Washoe Project, which involved building flood control dams on the Truckee and Carson rivers and diverting water for further non-Indian irrigation schemes. The Indians, previously too frightened and bewildered to act, now went before the Congressional Interior and Insular Affairs Committees to plead for their lake. The Committee responded by admitting that the problems at Pyramid Lake had been largely caused by Federal negligence, and when the Washoe Project Act became law in 1956 they directed that water should be set aside to restore the level of the lake and its fishery.

In 1963 the Bureau of Reclamation revealed its working design for the Washoe Project. There was no mention of water for Pyramid Lake. The Secretary of the Interior replied to angry Indian protests by establishing a Task Force, which finally concluded that some water could be 'saved' and made available to the lake. The Department therefore scrupulously improved its efficiency, saved some water, and then told the Indians that it had no power to deliver it to them. In 1968 the situation was worsened by an Inter-State Compact between Nevada and California which aimed to limit the Paiutes to the allocation under the Orr Ditch Decree and provided that neither the Indians nor the Interior Department could appeal against this decision. The Department, briefly on the side of the Indians again, asserted that Congress would not approve the Compact, and to sort out their differences the Secretary of the Interior and the Governors of Nevada and California met in the cabin cruiser of a Reno gambler in the middle of Lake Tahoe. After 90 minutes they agreed to 'save' Pyramid Lake by draining it another 152 feet, at which point it would be 'stable'; in fact, as one Indian pointed out, at that level the lake would be a stable salt-bed. Indian protests were again followed by the inevitable Task Force. The Paiutes decided not to send anyone to hearings, partly because the Task Force was dominated by their old enemy, the Bureau of Reclamation, and partly because the Governor of Nevada claimed the right to appoint their representative.

By 1970 the Paiutes were exhausted, desperate and poor. Some 70% of them were unemployed, half of their families had an annual income of less than $2000 and their meagre resources were being sapped by legal fees incurred in the battle for their lake. In that year, however, a glimmer of hope appeared when Robert Pelcyger of the California Indian Legal Services joined the tribe's attorney and formulated a plan of campaign with him. The state of the lake was so critical that the two lawyers decided not to try to prove the Indians' first-user rights, which would have involved suing every individual who was using water upstream from the reservation, but simply to sue the Secretary of the Interior for failing in his trust responsibilities to the Indians and for utilizing public resources inefficiently. Investigations had shown that the Newlands Project had been an almost total failure: the soil had been too saline, only 60,000 acres had in fact been cultivated and excess water that the project could not use had formed a marshland which had been turned into a wildlife refuge. The lawyers asked that wasted water should be returned to the lake, and the judge, trying to arrange a negotiated settlement, instructed the Secretary of the Interior to promulgate new regulations to achieve this aim and then to report to the court and the tribe before publishing them. The Secretary agreed and promptly, without any consultation, published new regulations that were effectively worse than the old ones. The judge said he had been 'bamboozled' and ordered the matter to court. On the opening day of the trial the Secretary's counsel was handed a letter informing him that the Department of the Interior, after 70 years, had decided to file suit *for* the protection of the tribe's water-right, but on questioning he admitted that this litigation could take 10 or 15 years to complete. The court decided that more immediate action was needed to save the lake and yet again demanded new proposals from the Secretary, but these proved so inadequate that the judge asked the tribe to prepare, with expert help, its own regulations and then ordered the Secretary to publish and enforce them. The Secretary complied, but the water company refused to implement the revised rules. The Interior Department was therefore forced to proceed both against the water company and against 17,000 individuals who affect the Paiutes' first-user rights, but more than a decade later there is still no sign of a final decision. Despite a Supreme Court ruling in 1983 that the Orr Ditch Decree could not be overturned, and a subsequent compact between Nevada and California which puts pressure on the Indians to drop their actions, the Paiutes are still fighting, but they fear that the litigation will take so long – a similar case is still pending after 50 years – that the lake will be dead before they finally win the legal right to keep it alive.

Over the past 20 years, three different administrations have commissioned major reports on Indian Affairs and they have all suggested radical changes to the B.I.A., including its removal from its deeply compromised place in the Interior Department. The Indians might have been expected wholeheartedly to approve these proposals, but in fact they have shown almost as little enthusiasm for them as the B.I.A. itself. A book called *Our Brother's Keeper*, published in October 1969 in response to the first of the three reports and endorsed by a wide spectrum of Indian opinion, explained the anxieties behind this apparently unaccountable hostility:

'The Indian tolerates his present impotent and unjust status in his relations with the federal government because he sees the Bureau of Indian Affairs as the lesser of two evils. The B.I.A. is all he has, and every promise to replace it with something better has been broken . . . He knows that he must, even at the cost of his liberty, preserve the Bureau – because the Bureau and only the Bureau stands between the Indian and extinction as a racial and cultural entity . . .

'The Bureau has done a terrible job; it has compromised the Indian again and again; it has permitted, tolerated, even assisted in the erosion of Indian rights and the whittling away of the Indian land base. Still, to the Indian, it is *his*. In the light of wisdom gained from long years of bitter experience, the Indian knows that a threat to the Bureau, an attack on the Bureau or any change in its structure is to be resisted as a threat to his own survival.

'Even the truth is to be resisted if it is a truth than can endanger . . . the Bureau. The Bureau plays upon this fear to stimulate Indians to attack and

deny any report which seeks to tell the truth . . . The Indian not only tolerates the injustices of the system; he helps to insulate it from scrutiny and criticism, because history has convinced him that an attack on the Bureau will lead to the destruction of his special status as an Indian and to the death of his people.'

III. HISTORICAL BACKGROUND

To understand how such a fearful and desperate situation has come about, and how native people might move forward from it, we must look at the origins of Indian culture and the development of its relations with white society.

Numerous theories have been put forward concerning the origin of the American Indians – including the exotic proposition that they were Ancient Egyptians, survivors from Atlantis and a lost tribe of Israel – but the current view is that they are the descendants of small bands of nomadic hunters who pursued their game across a land-bridge between Asia and Alaska during the last Ice Ages, 12,000 to 35,000 years ago, and thus unwittingly entered the New World. Over the next few millenia, the archaeologists suggest, these palaeo-Indians spread out through the western Hemisphere until, around 10,000 BC, they extended all the way from the Arctic to the southernmost tip of South America. At about the same time the land-bridge, their only link with the outside world, was finally submerged by melting glacial and polar ice, and with the exception of the arrival from about 6000 BC of small groups of Eskimos and Aleuts, America was left to develop in virtual isolation.

During this relatively undisturbed period the Indians gradually modified their big-game hunting way of life in response to the enormous range of physical conditions in America and slowly diversified into a huge profusion of distinct peoples, all closely adapted to their environments but with widely-differing cultures, economies, beliefs and customs. By the time of Columbus there were probably more than 600 autonomous societies, ranging from tiny hunting-and-gathering bands to sophisticated agricultural nations, and with a total population of perhaps three million in the area of the present-day United States alone. The most densely populated regions were the Atlantic and Pacific seaboards. On the west coast, and especially in the northwest, an abundance of fish, game and wild plants supported a number of prosperous settled communities and allowed their inhabitants to enjoy rich cultures that excelled variously in basketry and wood-carving; while along the eastern seaboard, from the northern shore of the Gulf of Mexico to modern New England, stretched a broad band of farming nations, such as the Creek, Cherokee, Delaware, Pequot and Iroquois, who lived in permanent, well-ordered towns that were generally organized into confederacies for mutual defence and religious purposes. To the west of these agriculturalists, across the Appalachian mountains, were smaller, more scattered peoples, such as the Potowatomi and the Sauk and Fox in the north and the Osage and the Wichita further south, who also grew a certain amount of maize and other crops but usually depended for their livelihood more on hunting and had to remain mobile in order to follow the movement of game. Further west again was the vast open grassland of the Great Plains, where agriculture was even more rudimentary and some peoples lived exclusively by hunting the bison. The southwestern region – between the southern Plains and California – was inhabited by a number of distinct groups: the Hopi, Zuni and other Pueblo peoples, living in close-knit adobe towns, cultivating with great skill the arid soil around them and displaying, both in their material culture and the complexity and beauty of their spiritual life, the influence of the great civilizations of Mexico and Central America; the Papagos and Pimas, also desert farmers, and the wandering Navajos and Apaches, newly arrived in the area after a long migration from the Canadian forests. The neighbouring Great Basin region, centred on present-day Utah and Nevada, was probably the poorest and most sparsely-populated part of aboriginal America, povіding only a meagre supply of roots, berries, seeds, nuts and the occasional small animal for the Utes, Shoshones, Paiutes and other Indians who roamed the area in tiny bands of 15 or 20 people in the ceaseless quest for food. Further north, however, in the plateau region of Idaho, interior Washington and Oregon and parts of Montana and Colorado, tribes such as the Nez Perces and the Kootenais, like their neighbours on the coast, enjoyed a profusion of fish and game which they harvested with great efficiency and which enabled them to live in sizeable tribes and develop a number of distinctive cultural traits.

Indian society

This cursory glance at some of the more important areas of pre-Columbian America cannot begin to conjure the richness, colour and variety of aboriginal societies or the artistic and religious genius of some of their cultures. It does, however, suggest certain characteristics that were common to most or all Indian groups and which have vitally affected the course of dealings between native and white since 1492. To begin with, all Indian societies north of Mexico were, by European standards, extremely small. Even the biggest confederacies at their zenith probably comprised no more than about 60,000 individuals, and the majority of Indians lived in communities of only a few hundred or so people. It is clear that at the time of contact the tendency in much of North America was towards bigger political units, but in the 16th century geographical distance and traditional rivalries and hostilities still divided the Indians, and the fact that their own populations were so small meant that they were quite unable to conceive of the size of a European nation and subsequently the immensity of the threat confronting them. The fact that aboriginal societies were so small also profoundly affected the way they were organized internally. The survival of an Indian tribe or nation, which had not only to feed and defend itself but also to produce all its own shelter, clothing, tools, weapons and other artefacts, depended on the maintenance of a high level of co-operation between its members. At the same time it was both psychologically and physically impossible for a society which required the participation of everyone in the practical business of daily life and which brought people into constant contact with one another to create specialized, impersonal institutions to ensure harmony and law and order. In some of the larger communities there were hereditary social hierarchies and even elementary policing systems, but in the last analysis a leader had nothing tangible with which to enforce his decisions on unwilling followers. His authority depended on the respect, trust and fundamental agreement of the group as a whole, and if his ideas or actions seemed persistently ineffectual or abhorrent to his people he rapidly lost support, often to a rival who espoused alternative policies. The elders and other influential people in the community usually tried to prevent open conflict by talking among themselves until unanimous agreement was reached, but individuals could not be compelled to follow their advice and in cases of prolonged serious dispute the dissidents often left permanently to join another tribe or form a distinct society of their own. This system, although in aboriginal conditions it encouraged responsive leadership of considerable calibre, has proved a fatal flaw in dealings with white people. Some whites, believing that a 'chief', like a European head of state, had the authority to speak for all his people and commit them to a particular course of action, have felt genuinely outraged when an individual Indian has infringed an agreement; others, understanding the true situation, have exploited Indian factionalism and encouraged the personal ambitions of venal or discredited and disgruntled leaders in order ultimately to 'divide and rule' the tribe.

The real and enduring strength of an Indian society lay in the complex pattern of interwoven relationships connecting its members with one another and binding them into a coherent entity. Kinship rules generally distinguished a wide range of relatives to whom an individual owed special obligations – for example, it was usual to differentiate between the kinds of behaviour properly shown towards a maternal and a paternal uncle – and thus formalized and strengthened the ties of mutual responsibility linking together all the members of an extended family. In addition, especially in the bigger tribes, the individual belonged to a clan and to one or more religious groups, warrior societies and other organizations that increased the number of people with whom they were interdependent and gave them certain ceremonial, social or military functions in the community at large. In practice this arrangement generally meant that every social element – family, clan, religious or other group – was indispensable to the smooth running of corporate life, but none was predominant. Among the Hopi, for example, there were twelve religious societies, each of which played an essential role in the year-round cycle of ceremonies on which the assistance of gods and spirits and hence

the survival of the people depended. Membership of a specific society was restricted to men from the families which made up specific clans, and since the full range of societies could only operate with participation from the full range of clans virtually every family in the community was symbolically acknowledged as being vital to the existence of the Hopi as a whole.

Underpinning the Indians' social structures, and pervading every aspect of their lives, were the tribal religions which – despite enormous local variations in form and ritual – were in many of their fundamentals extraordinarily similar. It would be difficult to overstress the importance of religion to the native American. Most Indians believed in a cosmic unity which embraced man, animals, plants, elements and immensely influential but generally invisible spiritual forces. Human society had to co-operate and live harmoniously with the other components in this universal whole, and this entailed not only the performance of prescribed rituals and the use of shamans or priests to mediate between individual and spirit, but also adherence to certain strict rules and disciplines in the conduct of hunting, eating and other everyday activities. The majority of Indians believed that 'in the beginning' a deity or culture hero had given 'the people' – as many of the tribes called themselves in their own language – the land they inhabited and instructions concerning how they could live there efficiently and in accord with the overall scheme of things. This information, embodying the Indians' immense knowledge of the nature and resources of their own areas, was expressed in myths and stories and handed on from one generation to the next; it generally emphasized the importance of virtues such as responsibility, courage, compliance and respect for life as well as teaching the skills required for the provision of food and other necessities and laying down the way in which they were to be practised. The individual Indians were judged by how nearly they lived up to the divinely-ordained ideal, and celebrations were held annually or more frequently which in a mystic way re-lived the original drama of 'the people' and heightened the Indians' awareness of their sacred obligations to the givers and sustainers of life.

The contrast between the Indians' religious perceptions and those of the European has caused enormous misunderstandings and conflicts over the last five centuries. The problem carries far beyond the obvious clashes between evangelizing Christians and adherents to traditional native beliefs. The Indians' deep-seated sense that their land and their way of life are gifts with which the Creator has solemnly entrusted them has embarrassed and bewildered whites, who find it difficult to comprehend why many native people have fought so long and so stubbornly, with active and passive resistance, to cling to their old ways and their homelands when they are hopelessly outnumbered and have been offered all the – apparently greater – benefits of an alternative civilization. The pragmatic European mentality, which sees in technology a means to adapt any environment to the needs of a particular human culture, tends to dismiss as fanciful and childishly superstitious the Indians' reverence for their land, which has led them to take the opposite approach and adapt their culture to the nature and potentialities of a particular environment. Indians, for their part, have frequently failed to understand the European concept of land as property which can be disposed of as the owner wishes – and when they have understood it the idea has generally appalled them. The special relationship between a people, the land on which they have lived since 'the beginning' and the food it produces to sustain them is, to the traditional Indian, something personal, mystical and profound that can only be abandoned by an act that is tantamount to the betrayal of a deeply-loved parent. The notion that the earth was their mother was not poetic but quite literal to aboriginal Americans; even today the traditional people of Taos Pueblo refuse to plough their reservation because it would be tearing their mother's flesh.

In general, pre-Columbian American societies worked extremely well and provided a rich and satisfying existence for their members. It is particularly important to stress this fact because native cultures have so often been presented as at best pleasingly innocent, with beliefs that contained no more than a fragment of the truth which Europeans, in the form of Christianity or scientific knowledge possess in its totality, and with ways of life that were culturally impoverished and socially and economically inefficient. In fact, even by the limited standards of western civilization, Indian societies were in many ways arguably more successful than their European counterparts. Their gradual evolution had given them a greater knowledge of plant and animal life and a more varied and plentiful diet than the Old World enjoyed – it is significant, for instance, that about half the crops cultivated throughout the world today were first grown by the comparatively small agricultural population of aboriginal America – and they were less plagued by famine and epidemic. Moreover, established within their own territories with relatively stable populations and ways of life, they generally suffered little internal strife and despite occasional wars, skirmishes and frictions lived on terms of permanent co-existence – and often friendship – with their neighbours.

IV. THE WHITE IMMIGRANTS

In 1492 European culture and society, in contrast, were in a state of violent change. The feudal system was collapsing and a new mercantilist economy, based on an unequal exchange between the producers and the processors of raw materials, was becoming increasingly important. The crusades against Islam had served both to heighten Christian intolerance of other faiths and to open new markets for trade, and had thus directly stimulated the kind of voyages that Columbus and others undertook with the joint motive of making money and saving pagan souls.

In Europe itself the enormous rise in population which was to continue into the 20th century had already begun, and there was constant civil unrest as new social orders struggled to establish themselves, as well as persistent warfare among the emerging nation states that jostled one another for political and economic power. The earliest explorers, trying to judge the small, ceremonial and comparatively static and unacquisitive societies of the Indian by the standards and beliefs of this alien and chaotic background, quickly categorized the native in terms of three essentially conflicting European traditions: the missionary, the Machiavellian and the classical. As a benighted heathen the Indian was to be saved; as a racial and religious inferior they were to be used or destroyed without compunction to suit the purposes of the civilized Christian; as sweet-natured children, living in a Golden Age of primal innocence, they were to be envied and admired. These assumptions, reinforced in the centuries after contact by the intensifying fanaticism of Christianity and the ambivalent mixture of arrogance and repugnance with which the Europeans viewed the growing power and ugliness of their own technology, have remained the basic elements in the whites' attitude to the native. Every age has combined them in a different way and in varying proportions, but the contradictions have never been completely eliminated.

The paradox starts with Columbus himself. Coming upon the West Indies in 1492 he was so charmed by the natives' kindness and hospitality that he wrote to his employers, the King and Queen of Spain:

'So tractable, so peaceable are these people, that I swear to your Majesties there is not a better nation on earth. They love their neighbours as themselves, and their discourse is ever sweet and gentle, and accompanied with a smile, and though it is true that they are naked, yet their manners are decorous and praiseworthy.'

It was precisely these qualities which he so admired that made Columbus believe that the Indians would be ideal slaves, since they were too trusting to resist capture and too docile to rebel once caught. 'From here, in the name of the Blessed Trinity', he wrote enthusiastically, 'we can send all the slaves that can be sold.' Those that were not sold, he thought, should be 'made to work, sow and do all that is necessary and to adopt our ways'.

The Spanish carried out these suggestions so scrupulously that the native population of Haiti, where they first established themselves, declined from an estimated 200,000 in 1492 to 29,000 in 1514, and the authorities sent out a series of expeditions to find new sources of labour. Fifty years after Columbus' first voyage the Spaniards had discovered and conquered the remaining Caribbean islands and the huge Aztec empire of Mexico, and having suppressed the natives of their new dominions with – to the Indians – quite incomprehensible savagery, they turned their attention to further expansion.

The earliest meetings between white men and the inhabitants of what is now the United States probably came in the first decade of the 16th century, when slave-hunters raided the Florida coast. The

expeditions of de Soto and Coronado, between 1540 and 1542, represented the first serious attempts to explore beyond the northern limits of New Spain and estimate the possibility and profitability of extending Spanish dominion across the Rio Grande. Coronado's principal interest was gold, and since he had nothing to gain from methodically outraging potential informants his progress through the Pueblos and up as far as the Wichitas of the eastern Plains was relatively peaceful, culminating in no more extravagant an atrocity than the garotting of the native guide who had misled him as to the whereabouts of Quivira, a fictional city of unimaginable wealth. De Soto, however, repeated the earlier pattern of conquest by accepting hospitality from welcoming Indians and then, with unaccountable ferocity, killing and wounding them, burning their crops and villages and kidnapping their leaders in order to make them 'stand in terror of the Spaniards'. The trail of devastation continued until May 1542, when de Soto died in what is now Arkansas and his followers, terrified that the Indians might seek revenge, retreated in disorder. The reports of the two expeditions suggested that there was little of value in the largely desert region they had explored, and a period of comparative peace ensued for the Indians of the area. The Spaniards concentrated on establishing a line of mission stations in the lusher country of Florida, but all but one of these, St. Augustine, were destroyed by attack or lack of provisions. Then, in 1598, Juan de Onate and a sizeable party of friars, soldiers and settlers again crossed the Rio Grande, quickly subdued the peaceful Pueblos and declared their territory a part of the Spanish Empire. A provincial capital was established at Santa Fé, churches were built and priests installed at many of the Indians' towns and the natives were forced, under the encomienda system, to work the land and act as servants for the missionaries, the colonists and the military. There was no wholesale extermination of the Pueblos, however, largely because new sources of labour were scarce in the region and the work-force had therefore to be conserved, and a relatively stable, if uneasy, relationship developed between conquerors and conquered.

By this time, more than a hundred years after Columbus' discovery, three other European powers had joined in the race to explore and exploit North America, and in the first quarter of the 17th century they all made their presence felt along the Atlantic seaboard. In 1604 the French established Port Royal in modern Nova Scotia; three years later a group of English adventurers founded Jamestown, in Virginia, and in 1612 the Dutch started a trading colony in Manhattan which had soon expanded onto the mainland. By 1640, when the Pilgrims, seeking somewhere to practise their extreme Protestant faith unmolested, landed at Plymouth, Massachussetts, some of the deadlier effects of white contact had spread from the other settlements and entered New England before them. An unidentified disease during the previous three years had depopulated a long stretch of the coast so that in 1621, when he signed a treaty with the newcomers, Massasoit, chief of the Wampanoags said: 'Englishmen, take that land, for none is left to occupy it. The Great Spirit . . . has swept its people from the face of the earth.' Or, as the Puritan Dr. Cotton Mather put it: 'The woods were almost cleared of these pernicious creatures [the Indians] to make room for a better growth.'

Both in Virginia and in New England relations between white people and natives began amicably enough, despite the catastrophic decimation of Indians through disease. Friendly tribes and individuals helped the colonists through their early years, providing them with food, protection and advice, and the Pilgrims, in particular, formed a number of close personal bonds with the Indians. Missionary work was undertaken by zealous Englishmen anxious to 'reduce this people from brutishness to civilitie, to religion, to Christianitie, to the saving of their souls', and in view of the complete disregard for native culture with which this enterprise was carried out it made a surprisingly successful beginning. Trade between the two races, which gave iron implements and other European goods to the Indians and a variety of native produce to white people, increased prosperity on both sides.

What changed this relatively happy situation was the Englishmen's apparently insatiable appetite for land. Not content with the plots ceded them by the tribes, and not regarding as the natives' property anything beyond their villages and fields, the colonists encroached further and further on to the hunting territories that were still vitally important to the livelihood of coastal Indians. The first trouble came in 1622 in Virginia, where the warlike Opechancanough had succeeded his peaceable brother Powhatan as chief of the local Indian confederacy and decided that the Englishmen must be stopped before they engulfed his people's entire country. His warriors destroyed several outlying settlements and killed more than a quarter of the colonists before a converted native warned Jamestown of what was happening and enabled the English to defend themselves and then crush the Indians. Opechancanough survived and in 1644, when he was nearly a hundred years old, he tried once more to dislodge the relentlessly expanding colony. By this time, though, there were 8000 English people in Virginia, and the attack was repulsed with comparative ease. Opechancanough was captured and needlessly shot by a guard; his people were forced to flee in the face of merciless destruction and slaughter and the confederacy was broken forever.

New England, meanwhile, had been experiencing similar troubles. During the 1630s a great influx of immigrants had swept into the country, putting mounting pressure on Indian land and changing the attitude of the colony towards native people. Direct assistance was no longer required from the Indians and the humility, simplicity and gratitude which had characterized the earliest dealings between the Pilgrims and neighbouring tribes were increasingly replaced by qualities from the other side of Puritanism: fanaticism, moral self-righteousness and hatred. In 1636 the colonists, with help from the protestant Dutch – not generally noted for their friendship to England – and a party of Narragansett Indians attacked the Pequots and virtually exterminated them. The new mood was typefied by the devout Captain John Mason: watching the Pequot town going up in flames and terrified men, women and children being riddled with musket fire as they tried to escape, he exulted: 'God is over us! He laughs His enemies to scorn, making them as a fiery oven.' A similar fate soon overtook the Wampanoags who had nourished and protected the infant settlement. By the 1670s most of the men, white and Indian, who had forged harmonious relations in the beginning were dead, and Massasoit's son Philip, the new chief of the tribe, noted with increasing apprehension the growing intolerance and hostility of the English and their steady advance on his people's heartland. Resolving 'not to see the day when I have no country', he worked for months to unite all the tribes from the Hudson to the Kennebec in a concerted effort to drive out the English. In 1675 they struck and were at first successful, but the colonists now numbered some 40,000 and the Indians, with perhaps half that population, were finally defeated in a war that was fought with great ferocity by both sides and which effectively destroyed Indian power in New England. Again, the Indians had left it too late to resist successfully, and again they were relentlessly hunted down until they were on the point of total extinction. During the next decade the English added the Dutch colony around New York and William Penn's settlement at Philadelphia – which had the unique distinction of dealing honourably with the Indians and so enjoying prolonged good relations with them – to their North American possessions, and thus within 80 years of founding their fledgling Virginia colony they were established in an unbroken chain from Maine to the Carolinas. Already they had destroyed most of the aboriginal cultures of the area and far outnumbered any remaining Indian nation or group of nations that might stand against them.

The other colonial powers were expanding more slowly. In the south-west there was a setback to Spanish rule when the Pueblos, outraged by persistent and brutal attempts to stamp out their religions, united under a medicine man called Pope and drove their oppressors back across the Rio Grande. For twelve years they enjoyed their independence, but then the Spaniards invaded the area again with a reinforced army and the Indians, who by this time had fallen out among themselves, were again subdued. The new regime was somewhat milder, however; the encomienda system was not reintroduced, the number of clerics in the region gradually dwindled and the Spanish were too busy fighting Navajo and Apache raiders to devote much military strength to oppressing the settled Pueblos. The most westerly Pueblo people, the Hopi, were never re-conquered at all. In Florida, the Spanish presence increased gradually through the 17th century and by 1656 was strong enough to put down a revolt, but there were few settlers in the area and although missionaries made thousands of Indian converts native life was not as seriously disrupted there as in other parts of colonial America.

The French, meanwhile, were extending their influence across the continent from their small but thriving Canadian colonies. In

general they tended to enjoy better relations than England or Spain with the Indians, largely because their prime concern was the fur trade and they therefore had little interest in taking tribal lands for settlement, but in the long term they proved almost as destructive as the other Europeans. Their traders and missionaries brought with them white diseases, which drastically reduced Indian population, and iron tools and weapons, which were clearly far more effective than the native's own stone-age counterparts but which quickly cost the tribes their self-sufficiency by breeding dependence on a European supplier. Over-hunting exterminated the fur-bearing animals of region after region, leaving the Indians desperately competing with one another for anything that could be bartered with the white man for goods that had become necessities, and the traders were driven further and further into the interior in search of new sources of pelts and so extended the ill-effects of contact far in advance of the frontier. A French trading network, competing with the less widespread English one, spread out from Canada with astonishing speed; in 1682 de La Salle built a fort on the Illinois River and then travelled down to the mouth of the Mississippi, claiming for France the huge area which it drains. The French were thus asserting sovereignty over territory which lay due west of the rapidly English colonies and which separated Spain's possessions in Florida and the south-west. Conflict was inevitable, and by the end of the 17th century North America had become a vast battlefield in the struggle for power between the nations of Europe.

For thirty-eight of the seventy-four years between 1689 and 1763 England was at war with one or both of the other colonial powers in North America, who also spent much of the time fighting between themselves. Throughout this period France, Britain and Spain were all trying to increase their possessions in the New World, and even during the intermittent lulls between the end of one war and the declaration of the next the Europeans' territorial ambitions brought them into constant conflict with each other. In 1699 the French built Biloxi and two years later a Governor of Louisiana was appointed; by 1718, when New Orleans was founded as the capital of the new province, the Spanish were at work on the Alamo and had already moved north and east into the Plains region, establishing a chain of mission stations which at one point passed only 15 miles from the nearest French settlement. Both countries sent out expeditions to explore further and seek the friendship of the Plains tribes. In the south-east, meanwhile, the English were pushing down from their seaboard colonies to make trading agreements with the Cherokees, Chickasaws, Choctaws, Creeks and neighbouring Indians who occupied the land between the British Carolinas and Spanish Florida. By 1733 the Englishman James Oglethorpe had sufficiently won the confidence of the Creeks to be allowed to found the colony of Georgia in their territory as an outpost against the Spanish.

The Indians, of course, were the real losers in this frenetic competition. The ultimate consequences of European rivalry had already been glimpsed in the north, where the English-backed Iroquois confederacy had been driven to annihilate the Huron allies of French Canada in a desperate attempt to gain control of the dwindling fur-trade. Now, the agriculturalists of the south-east and the hunting-and-farming tribes further west were bribed, threatened and given meaningless promises in the effort to embroil them in the white man's struggle. Alternately courted, betrayed and mercilessly destroyed the tribes were at a loss to preserve themselves, and in the confusion of conflicting interests the Europeans were able to turn them against each other and even against themselves; the Choctaws, for instance, promised their French 'allies' that they would fight the pro-English Chickasaws and 'never cease to strike at that perfidious race as long as there should be any portion of it remaining', but the English then managed to create an anti-French Choctaw faction which seriously weakened the unity of the tribe as a whole. The Governor of Louisiana, congratulating himself on engineering the Choctaw/Chickasaw war, expressed the European attitude:

'The Choctaws . . . have raised about four hundred scalps and made one hundred prisoners . . . [This] is a most important advantage which we have obtained, the more so, that it has not cost one drop of French blood, through the care I took of opposing these barbarians to one another. Their self-destruction in this manner is the sole efficacious way of insuring tranquility in the colony.'

Some tribes – such as the Appalachees in Florida and the Natchez in Mississippi – were virtually wiped out in the struggle, often at the hands of other Indians, and their lands promptly absorbed by white men; others, including the long-suffering Chickasaws, only survived with much-reduced numbers and as a result of extra-ordinary heroism after being abandoned by their supposed friends. At the end of the last North American war between France and England in 1763 most Indian groups east of the Mississippi had been affected by the long conflict and many of them had been destroyed; only the Iroquois of New York, who had sided with the victorious English and had established control over the remnants and lands of many defeated tribes, emerged militarily strengthened. For his part, Jeffrey Amherst, the British commander, was glad that he no longer had to rely on 'this execrable race' the Indians, who had died in such numbers for France and England and whom he was now 'fully resolved to extirpate root and branch'.

The years of warfare, however, had brought about a change in Britain's official attitude towards the native which resulted in a more liberal and defined policy. Realizing the military importance of Indian allies and the dangers of provoking violence on the frontier, the authorities had taken steps to ensure more amicable relations and reduce the possibility of friction. The need for greater trust and understanding was underlined at the end of the Seven Years War by the serious uprising, led by the Ottawa chief Pontiac, of tribes around the French-dominated Great Lakes who were fearful for their future under British rule. The Government hastily issued the Royal Proclamation of 1763, which outlined plans for a permanent Indian Territory west of the Alleghenies and forbade any private individual or organization to take or buy tribal lands; in order to avoid abuses and misunderstanding all land-deals were to be conducted by the Crown, which recognized that Indian nations were sovereign and independent and had unquestionable title to their possessions. The Proclamation was primarily a political move, but George Washington, mapping out an extensive property for himself in contravention of the new provisions, was being slightly too cynical when he dismissed the document as 'nothing more than a temporary expedient to quiet the minds of the Indians'. The educated oligarchs who governed the British empire from London during this period tended to view the Indians with a combination of romantic admiration and detached amusement that typefied the attitude of the Enlightenment to the 'Noble Savage', and as long as there was no serious conflict of interest they were prepared to make genuine, if inadequate, efforts to honour their agreements with the tribes. The Proclamation policy was inevitably a failure, however. Even if the authorities had shown more determination they could not have policed the frontier indefinitely against the stream of settlers moving south and west, and with every abortive attempt to remove the law-breakers the government was brought into more disrepute and its restrictions seemed more irksome. By 1776, when the 13 colonies declared independence, England's honest but feeble efforts to protect the Indians had become a major source of the colonists' discontent.

In the Revolutionary War the Indians were again divided and weakened by the conflicting demands of the two sides. The rebels by and large asked them to remain neutral in what was 'a family quarrel', while the British tried actively to enlist their support, and in the ensuing struggle the unity of the Iroquois confederacy was finally broken. With the defeat of the British in 1783 the majority of the Iroquois – four of whose six nations had remained loyal to the Crown – moved into Canada with the Empire Loyalists and the most powerful and influential native military alliance in North America was smashed.

In 1769, meanwhile, Spain had invaded California, subdued many of the settled natives in the south and west of the region, who subsequently became known as 'Mission Indians', and hunted down the 'wild' Indians with a psychopathic combination of religious devotion and meticulous cruelty that would have done credit to the most zealous of the early conquistadores. Spain's colonial history in the New World was nearly done, however. The European powers had used all their resources of perfidy, ruthlessness and self-delusion against the Indians for almost three hundred years and had succeeded in acquiring less than a fifth of North America; the United States and Canada were to complete the conquest in a single century.

The new rulers of the United States were provincial English gentlemen who shared much in common with their predecessors and attempted to follow a similar Indian policy. Treaties were signed with the southeastern nations, forcing them to cede land which had already been seized by whites but recognizing and guaranteeing their rights to what remained to them, and in 1787 the

North West Ordinance declared that the United States would treat with the Indians in 'utmost good faith' and laid down regulations for the orderly purchase and settlement of land between the western limit of the existing states and the Mississippi. The U.S., however, proved even less capable than Britain of implementing these provisions. Settlers continued to pour south into the lands of the Creeks, Choctaws, Cherokees and neighbouring nations, bribing real or invented chiefs to 'sell' more and more of their peoples' territory in illegal deals, and west into the 'Old Northwest', where the tribes were less organized and where similar methods – especially those involving liquor – were used with devastating effect to defraud the Indians of their homelands. The frontier moved so rapidly that by 1802 Kentucky, Tennessee and Ohio had all achieved statehood, and the purchase from France of the vast territory of Louisiana gave even greater impetus to westward expansion. The following year the Lewis and Clark expedition was sent to traverse and survey the United States' new acquisition and to open the way for trade with the Indians who, with the exception of the Blackfoot of the western Plains, received them with the same warmth and eagerness that had greeted earlier European explorers in the New World. Few North American natives would welcome white people so wholeheartedly and unsuspectingly again. Before the end of the decade traders had already started distributing their principal wares, smallpox and alcohol, among the tribes of the north and north-west.

On the frontiers, meanwhile, the first and last serious attempt to unite the Indians in resistance to the theft of their land and independence was being made. A remarkable Shawnee visionary, warrior and statesman, Tecumseh, seeing that a common and utterly disastrous fate would overtake all the tribes unless they stood together, travelled the length of the United States, from the Gulf of Mexico to the Great Lakes, trying to win adherents to his cause. Largely inspired by his brother Tenskwatawa, a medicine man, he visualized an Indian nation living permanently on equal terms of mutual respect with the United States, and at first he thought he could persuade the whites to halt their assault on Indian land solely by reason and a peaceful show of strength and determination. When it became clear, however, that the authorities, in the person of such men as General Harrison, were not merely tolerating but actually conducting illegal deals, Tecumseh urged Indians to take up arms in defence of their heritage. He saw the War of 1812 as the tribes' great chance to win a favourable long-term settlement and persuaded many Indians to join the British side, but he was unable to build the 'great combination' he had envisaged, and despite early successes he was betrayed by lack of support and by the incompetence of the British Colonel Procter. He died fighting in 1813.

Like previous efforts at Indian resistance, Tecumseh's stand had come too late. The westward movement could not be halted; between 1812 and 1819 Louisiana, Indiana, Mississippi, Illinois and Alabama were all admitted to the Union, and the country's mood was shifting with its frontier. The honourable, classically-educated leaders who had made the Revolution and to whose sense of fair-dealing Tecumseh had hoped to appeal were being increasingly replaced by men from the new West who prided themselves on being down-to-earth, hard-headed realists and who represented in many respects a return to the Puritan qualities – thrift, industry, self-reliance, religious bigotry and self-righteousness – that had characterized 17th century New England. The spirit of the frontier, where the theft of Indian property and the fear of Indian attack were both justified by seeing the native as a merciless, shiftless, indolent, unchristian brute who was the very antithesis of Protestant virtues and values, quickly came to dominate the thinking of a nation that was hungry at the same time for land, justice and the acclaim of the world. Since the Indians had no morals there was no point in behaving morally towards them; as a later Commissioner for Indian Affairs, General Francis C. Walker, was to say in the 1870s when the extreme and ignorant Puritan view of the native had become wide-spread: 'When dealing with savage men, as with savage beasts, no question of national honour can arise. Whether to fight, to run away, or to employ a ruse is solely a question of expediency.'

The new puritanism

In 1828 Andrew Jackson was elected President. He was a frontiersman, a dedicated Indian-fighter and a national hero who had crushed the minority of the Creek confederacy that had sided with the British in the War of 1812 and had then forced the whole nation to give up two-thirds of its territory as a punishment. In later years he had worked energetically to clear Indians from the south and he was well known for his opinion that all the tribes east of the Mississippi should be moved – by force if necessary – to land west of the Mississippi. Before his election he had made it clear that he intended to act on this view.

The groups most substantially affected by Jackson's policy were the Creeks, Chickasaws, Cherokees and Choctaws of Mississippi, Alabama and Georgia and the Seminoles of Florida, which Spain had ceded to the United States in 1821. Since the beginning of the 19th century these peoples had accepted progressive reductions in their territory and had adopted white agriculture, which enabled them to prosper on their more limited land-base, as well as embracing many other attributes of white civilization. By the end of the 1820s most of them were practising Christians who sent their children to school, administered themselves by constitutional tribal governments modelled on the European pattern and lived peacefully with their non-Indian neighbours, and they were known throughout the United States as the Five Civilized Tribes. By no standards could they have been considered 'savage men', but their land was required for settlement and the whites were determined to be rid of them.

Already, before Jackson's inauguration, Mississippi and Georgia had passed legislation extending state jurisdiction over Indian lands, and Alabama followed their example within a year. Georgia and Alabama enacted additional measures which made it illegal for an Indian to testify against a white man in a court of law, and whites were thus given a free hand to harass, rob and dispossess the Indians, whose lives become increasingly intolerable. Jackson repeatedly told the tribes that he was powerless to intervene while at the same time he sent secret messages of encouragement to the state governments, and in 1830 his Indian Removal Act became law. Outrages against the Indians multiplied and one by one the Choctaws, Creeks and Chickasaws were driven west, suffering heavy losses through disease, hunger and despair, to the lands in present-day Oklahoma that they had been told they could hold under their tribal governments in perpetuity. Individually, the Indians were given the official option of ceasing to be tribal members and taking a small allotment in their traditional homeland, but those who decided to accept this alternative found that federal officials would not register their selections or that the now familiar methods of forgery, threat, deceit or outright theft quickly deprived them of their holdings. The Cherokees, however, under their able chief John Ross, refused to move and fought through the federal courts to keep their own lands and government, arguing that the states had no legal or constitutional rights in territory belonging since time immemorial to the Cherokee nation, who had surrendered specific tracts of their domain to the United States but retained their sovereignty over what remained. In 1832 the Supreme Court, under Chief Justice John Marshall, upheld the Indians' case and found that the U.S., inheriting from Britain the policies expressed in the Proclamation of 1763, regarded the tribes as 'distinct, independent political communities, retaining their natural rights' and that the individual states had no authority over them. Jackson promptly replied: 'John Marshall has made his decision – now let him enforce it', and told the states to continue their anti-Indian activities. Later that year the Georgia government held a lottery in which much of the Cherokees' property was distributed to the winners, and a large number of Indians, including John Ross and his wife Quatie, were evicted from their homes.

Many Cherokees managed to continue a marginal existence in their homeland, however, and General Winfield Scott – who like many other people charged with the execution of government policy abhorred his task – moved them by force to the area (approximately modern Oklahoma) that they were to share forever with the four other Civilized Tribes. In the process 4000 of the 18,500 refugees – among them Quatie Ross – died, and the journey became known as the 'Trail of Tears'. A small group of Cherokees escaped and hid in the Carolina mountains, and a large part of the Seminoles held out in the Florida swamps in a seven-year war that cost the U.S. $20 million and ended in 1842 when the army gave up and left the Indians alone.

The continent was now being conquered with unprecedented speed and relentlessness. In 1832 the defeat of Black Hawk's Sauk and Fox in Iowa and Wisconsin had seen the virtual end – except in isolated pockets – of armed resistance east of the Mississippi, and

the frontier was pushing well west of the great river. Missouri had become a state in 1821, and by 1848 Iowa, Wisconsin, Arkansas, Michigan, Florida and Texas had joined the Union as well. Tribes indigenous to the new states, such as the Osage and the Shawnee, together with Delaware, Wyandot (Huron) and other peoples who had already removed from their ancestral homes in the east, were shunted closer and closer to the new holdings of the Five Civilized Tribes and given 'permanent' reservations, mostly in parts of present-day Kansas and Nebraska which at that point were included in 'Indian Territory'. In the far west, too, colonization was proceeding at a tremendous pace. The Treaty of Guadalupe Hidalgo in 1848 gave California, the south-west and the Great Basin to the United States, in the same year gold was discovered in California. Immediately a flood of fortune-seekers poured west, the most lawless among them shooting indiscriminately into the timid Great Basin bands for sport and robbing, debauching and murdering those Indians unlucky enough to be in their path. Whole peoples were exterminated; the native population of California fell from an estimated pre-Columbian level of 350,000 to about 120,000 in 1850 and less than 20,000 by 1880. The federal authorities made some effort to acquire the territory in an orderly fashion but they were generally completely ineffectual, and when agents did succeed in carrying out official policy by signing treaties that promised a reservation, annuities and services in exchange for land cessions the Senate, under pressure from the state government, refused to ratify them and did not tell the Indians. Further north many of the smaller tribes of Oregon and Washington were allotted reservations and the larger nations, including such groups as the Nez Percé and the Yakima, were called to a council at Walla Walla in 1855 and told that they, too, would have to accept reduced land-holdings, but that they would have some years to adjust before settlers arrived. Within twelve days the commissioners posted advertisements declaring the area to be open to settlement. Suddenly overwhelmed by an influx of whites who took their land, invaded and robbed their reservations, shot and raped their people and decimated them with drink and disease, some of the Indians tried to resist, but they had no real hope of success. George Crook, who as a General was to command US forces in later Indian wars, recalled the life of a typical frontier town where he was stationed as a young lieutenant:

'It was of no unfrequent occurrence for an Indian to be shot down in cold blood, or a squaw to be raped by some brute. Such a thing as a white man being punished for outraging an Indian was unheard of . . . The consequence was that there was scarcely ever a time that there was not one or more wars with the Indians somewhere . . .

'The trouble with the army was that the Indians would confide in us as friends, and we had to witness this unjust treatment of them without the power to help them. Then when they were pushed beyond endurance and would go on the war path we had to fight them when our sympathies were with the Indians.'

The same old pattern was now being repeated in Kansas and Nebraska, where whites were harassing the Indians on the reservations they had received 'in perpetuity' over the preceding thirty years, and a growing lobby was demanding that native title to these lands should be extinguished. An act to this effect was finally passed in 1853; the following year territorial governments were formed for the area and the Indians, too demoralized to offer much resistance, were herded down to join the Five Civilized Tribes, who made room for the newcomers in their own lands. There was more trouble further west, however, along the growing number of trails which crossed the vast Plains region to link the eastern states with the west coast. Since about the middle of the 18th century this area had been occupied by a number of tribes – including the Sioux, Arapaho, Cheyenne and Crow in the north and Comanche and Kiowa further south – who had adopted the horse and the gun from the European and used them to create an entirely Indian culture based on the hunting of the bison. From their earliest days these societies, forced to protect their land and food-supply against increasing competition from other Indians dispossessed by white settlement, had existed almost permanently on a war-footing, developing a powerful warrior ethos and considerable military skill. They now looked on apprehensively as a growing network of trails, protected by chains of forts, bisected their hunting-territories, disturbing their game and seriously threatening their survival. In an attempt to allay their fears, during the 1850s the government called two councils, one with the northern and one with the southern tribes, at which ranges were marked out and declarations of mutual goodwill were made, and despite a few incidents – usually caused by rash young officers or rash young warriors acting in defiance of their elders – the peace held. Then, in 1862, a serious uprising by Santee Sioux in Minnesota who had been bullied and maltreated by local whites and whose government annuities were overdue, sparked off terror among settlers and travellers across the Plains, and since the U.S. army was stretched to capacity by the Civil War bands of volunteers were sent to the frontier. The volunteers were mostly dedicated Indian-haters spoiling for a fight; according to a regular U.S. major, T.I. McKenney, they 'do not know one Indian tribe from another and . . . will kill anything in the shape of an Indian'. They fired shells into a friendly Sioux camp for artillery practice and carried out a number of unprovoked raids in an effort to stir up the tribes. McKenney warned: 'I think if great caution is not exercised on our part there will be a bloody war.'

He was right. Early on 29 November a party of volunteers under Colonel Chivington attacked a Cheyenne encampment which had moved to Sand Creek, near Fort Lyon, to avoid being confused with 'hostile' Indians. The head of the camp was Black Kettle, a Cheyenne 'peace chief' who in 1861, rather than fight, had signed a treaty which ceded virtually all the tribe's territory to the United States and which was later repudiated by most other Cheyenne. He flew the Stars and Stripes above his tipi and told his people that there was nothing to fear from the approaching troops. Chivington struck without warning, taking no prisoners, scalping a group of screaming women and children who had surrendered and were pleading for mercy, and obscenely mutilating corpses. A few Indians managed to escape, though, and made off to warn the other bands, and by late December angry Cheyenne, Arapaho and Sioux were massed for an all-out war. It continued, with sporadic interruptions, for twelve years. The Indians fought with immense courage and skill against overwhelming odds to preserve their land, their culture and their bison, and at times they seemed to have won; but with the end of the Civil War the temporarily-halted westward movement of the frontier started again with renewed vigour, bringing new immigrants in numbers which the tribespeople literally could not imagine and putting the Plains under mounting pressure from settlers as well as travellers.

Effect of the Civil War

The Civil War had disastrous repercussions in Indian Territory. The Five Civilized Tribes, so often pitted against one another in conflicts created by the white man, had been divided, although the majority of them, true to their southern origins and cut off from the Union government, had sided with the Confederacy. In the fighting they had lost as much as 25% of their people and most of their communities and farms, and as 'punishment' for their involvement the victorious Unionists confiscated the western part of their domain, some of which had already been leased before the war as a home for other dispossessed tribes, and set about trying to persuade the Plains Indians to settle there. The Five Civilized Nations had made their own contact with the Plains tribes, advising them, from bitter personal experience, to adopt a sedentary agricultural existence and offering to help them with land, teaching and other assistance. Many Indians – including the southern Cheyenne and Arapaho, who had recently separated from the main bodies of their tribes, and most of the Comanche Kiowa – had been impressed by visits to their 'red elder brothers' and accepted reservations in Indian Territory in the decade after the Civil War. At the Okmulgee Council which the Five Civilized Nations held every year the growing number of Indian Territory tribes proved their remarkable capacity to work together despite the diversity of their linguistic and cultural backgrounds, and plans were being developed for an Indian state, with its own government and institutions, where all or most of the native people of the United States could eventually live.

In the northern Plains, meanwhile, the western Sioux and the northern Cheyenne and Arapaho were still following their old way of life. In 1868 the Oglala Sioux under Red Cloud had won a major victory by forcing the United States to sign the treaty of Fort Laramie, which led to the army abandoning the Bozeman Trail and left the tribe in legal possession of about half of South Dakota, and for a while there were still plenty of bison to feed and clothe the Oglala and their allies. Events were moving against them, however. The government, humiliated by a war which had cost them $1 million per dead Indian and which they seemed unable to win militarily, had already decided to starve the Indians out by encouraging the wholesale destruction of the bison – by 1910 this policy had been so successful that only ten bison, out of an

estimated mid-19th century population of sixty million, remained – and in 1874 an even more immediate danger threatened the Plains tribes. An expedition under Custer discovered gold in the Black Hills, which were within the reservation boundaries and were absolutely sacred to the Sioux. A gold-rush rapidly developed, and after trying unsuccessfully and half-heartedly to remove the trespassers the authorities decided that it would be easier to remove the Indians. The tribe was offered $6 million for the Hills but refused, and the government then ordered the Indians to come in to the agencies or be treated as hostile. The order was made in dead of winter and did not reach some of the bands until after the deadline for moving had expired, and anyway the Indians could not de-camp *en masse* at that time of year. Even the soldiers sent to punish them could not move until spring, when they embarked on the attack that culminated in the defeat of Custer on the Little Bighorn on 25 June 1876. The news that a U.S. General and his men had been wiped out by a gaggle of Indians reached Washington on 5 July 1876, the day after the conclusion of the nation's centennial celebrations. A countrywide outcry against this humiliation led to the mounting of an enormous military expedition against the northern Plains tribes, and gradually, fighting to the last, the Sioux, who were half-starving by this point, were brought in and confined to the land around the agencies that had served their vast reservation. The Cheyenne were moved down to join their southern tribe, but many of them died of disease and after their courageous breakout public sympathy persuaded the government to give them the Montana reservation that they still hold today.

Throughout the 1870s and early 1880s there were disturbances in different parts of the United States – such as Chief Joseph's Nez Percé 'War' and a 'Ute Uprising' in Colorado in 1879 – involving hungry, desperate Indians who were suffering all the abuses of conquest and the frontier, but they were quickly subdued. In the southwest, where the Navajos had been settled on a reservation since 1868, bands of Apache held out with great ferocity and endurance until well into the 1880s, but they too were finally tricked and harried into defeat and the U.S. conquest of the country was completed. In 1888 a Nevada Paiute called Wovoka had a vision in which God told him that by performing a certain dance and following an ethic of universal love the Indians would bring back their dead brothers, their animals and their land, and in a last frenzied effort to preserve themselves and their way of life tribespeople throughout the west danced and sang for supernatural help. It never came. In December 1890 a contingent of nervous U.S. soldiers opened fire on a group of Oglala Sioux 'ghost-dancers' at Wounded Knee, South Dakota, killing about 200 men, women and children. With the dancers died Wovoka's hope and the tradition of military confrontation that had begun with Opechancanough nearly 270 years before.

V. THE MELTING-POT

The conquest of the Indians' land in the century after the Revolution was, of course, part of a wider process in which the United States gave millions of immigrants, many of them fleeing from political oppression, social persecution and poverty, the opportunity to live in independence and freedom. There is no question that this was a venture of great vision and generosity, but its generosity was largely at the expense of native peoples who were not consulted about the disposal of their property and who were parted from it with quite unnecessary physical and psychological brutality. Arguably even more disastrous for the natives than the loss of their land, however, was the effect that taking it had on the white people. To most decent Americans it was quite unthinkable that the United States, a brave experiment in liberty and democracy that stood as a signpost to the future of the world, should be accomplishing its bold design with anything less than scrupulous justice and morality, and a contemptuous and disparaging view of the Indian, which effectively exonerated the country from any blame, became a national psychological necessity. Some whites still sentimentalized about the passing of simple, idyllic aboriginal societies, but few had any doubt that the Indians' demise was part of a grand scheme ordained by God – and proved by Darwin – to replace the savage heathen with a more vigorous and efficient European stock. The idea, of course, was nothing new; it had been advanced, in various forms, by enemies of the Indian from Cotton Mather on. What made it particularly tragic now was that it was honestly held by most of the Indians' friends as well.

The assumption that the natives were an inferior breed on the point of disappearance made it seem preposterous for whites to deal with them as 'distinct political communities' with sovereign rights and a long-term future. Already, in 1871, the authorities had stopped making treaties with the tribes on the grounds that 'none of them have an organized government . . . They are held to be wards of the government, and the only title the law concedes them to the lands they occupy or claim is a mere possessory one . . .' Under the new arrangement, reservations were to be considered not as areas of Indian property that the tribes had reserved to themselves but as areas of public property, set aside by the authorities for the Indians' use, which could be established, altered or abolished by executive order of the President. Having thus decided that the Indians were incapable of governing themselves, the whites now naturally concluded that they must make all essential decisions for them. As the Massachussetts clergymen George E. Ellis forcefully expressed it in 1882:

> 'We have a full right, by our own best wisdom, and then even by compulsion, to dictate terms and conditions to them; to use constraint and force; to say what we intend to do, and what they must and shall do . . . This rightful power of ours will relieve us from conforming to, or even consulting to any troublesome extent, the views and inclinations of Indians whom we are to manage . . . The Indian must be made to feel he is in the grasp of a superior.'

Since the Indian in his savage state was condemned to individual damnation and racial extinction, the humane course was clearly to 'kill the Indian to save the man'. He was to be turned, as rapidly as possible, into a facsimile of his white saviour, and to this end boarding schools were built where, at the age of six, native children could be removed from the 'pernicious influence' of their homes, denied participation in the ceremonies and traditions by which their own cultures were transmitted, beaten for speaking their own languages and trained, in ways fitting to an inferior, to adopt the manners, attitudes and simpler accomplishments of white people. An Interior Department code of 1884, reinforced twenty years later, outlawed native religious celebrations and thus disrupted the social and spiritual harmony of the tribe, and the Indians were brought under considerable pressure to attend whichever church had won their particular community in the share-out of reservations among the different Christian denominations. The submission of recalcitrantly conservative individuals and families was enforced by withholding the rations which had been guaranteed them in land-cession agreements and which had become often their only source of food. In the first years of the reservation system many agents also sold Indian rations to third parties for personal gain, but after 1905, when Indian Service employment procedures were tightened, this spirited private enterprise diminished and increasingly the agencies were manned by stolid bureaucrats who conscientiously carried out the policies of their superiors and whose corruption, when they were corrupt at all, was of a more regulation kind.

These conditions inevitably undermined the confidence, hope and self-respect of an already defeated people, and drove many Indians, especially among tribes that had been broken and uprooted by warfare and hunger, to a state of chronic demoralization and apathy. White well-wishers, however, were early convinced that the reservation system by itself was not divesting the native of his 'old and injurious habits' quickly enough, and they pressed for yet more virulent measures to de-Indianize the Indian. Most philanthropists were agreed that the Indians' tribal social structure, founded on common ownership of land and encouraging 'frequent feasts, heathen ceremonies and dances, constant visiting' and other undesirable traits, was the major obstacle to their 'progress'. There was therefore growing pressure for legislation to break up the reservations, distribute small individual plots to nuclear families who would have to adopt a European-style farming existence in order to survive, and sell the surplus to non-Indians who would settle among the natives and so hasten their acquisition of white civilization.

The Dawes Act

The efforts of humanitarians to attain this aim were amply supported by land-grabbers who, now that the frontier had run its course, looked to the reservations as the only source of free or

cheap land, and after persistent lobbying the unholy alliance of friends and enemies of the native won its most notable victory: the passage of the General Allotment Act of 1887. A plot of 160 acres – the exact amount was negotiable – was to be given to the head of every family and then kept in trust until the owner was deemed competent to hold it like a white, in fee simple. In this way, said the Bill's sponsor, Senator Dawes of Massachussetts, the Indians would quickly be able to become U.S. citizens and their problems would 'pass away like snow in the springtime'. There is no doubt that Dawes was sincere, but there is equally little question that for most of his supporters, as a minority report of the House Indian Committee put it, 'the real aim of this bill is to get at the Indian lands and open them up to settlement . . .' The report went on:

'If this were done in the name of greed, it would be bad enough; but to do it in the name of humanity, and under the cloak of an ardent desire to promote the Indian's welfare by making him like ourselves, whether he will or not, is infinitely worse.'

Senator Henry Teller of Colorado, himself not above a little corruption at the native's expense, went even further:

'If I stand alone in the Senate, I want to put upon the record my prophecy in this matter, that when thirty or forty years will have passed and these Indians shall have parted with their title, they will curse the hand that was raised professedly in their defence to secure this kind of legislation, and if the people who are clamouring for it understood Indian character, and Indian laws, and Indian morals, and Indian religion, they would not be here clamouring for this at all.'

Such arguments, of course, were to no avail. The Act was passed without difficulty and the agents were instructed to implement it. When they realized what was happening the Indians themselves fought desperately against what seemed a sentence of death on their societies; the 'wild' tribes appealed to the Five Civilized Nations, who had been exempted from the Bill and who promptly sent a message to the President, pleading for 'a powerless and protesting people'. The idea of an 'Indian Commonwealth', where the tribes could all band together for mutual protection and follow their own ways, was again put forward, but it was hastily disapproved by government officials, and within a few years it became clear why: Indian Territory, including the tribal holdings of the Five Civilized Nations, was to be allotted as well. Delegations of Creeks, Choctaws and Cherokees travelled to Washington to present their case movingly and without bitterness; as late as 1906 the Creek Chitto Harjo was persevering: 'All that I am begging of you, honourable Senators, is that these ancient agreements and treaties . . . be fulfilled.' When it was clear that they would not succeed the Five Civilized Tribes asked to be allowed to emigrate to preserve their tribal identity, but this plea, like those of less articulate Indians across the country, was scorned and ignored. The new policy was proving far too successful to be abandoned: in 1890 the Commissioner for Indian Affairs reported that in a single year 17.4 million acres, almost 1/7th of Indian land, had been 'restored to the public domain'.

Senator Teller was right: it took between thirty and forty years for the government to realize that its decision to 'break up reservations, destroy tribal relations, settle Indians upon their own homesteads, incorporate them into the national life, and deal with them not as nations or tribes or bands, but as individual citizens' had not worked. The mistake cost the Indians over 90 million of the 138 million acres left to them in 1887 and immeasurable personal and communal suffering that can only be glimpsed in the recorded facts. A few examples suggest the depth of Indian feeling: the Kickapoos, tricked into allotting their Oklahoma reservation, gave all their money to an attorney who had promised to buy them tribal territory in Mexico and who then, in a scandal involving many prominent public figures, defrauded them utterly and left them destitute; the Cherokees were so outraged at the break-up of their lands that in 1912 there were still some 2000 of them who despite extreme poverty refused to accept any of their share of the sale-money; the White River Utes left their allotted reservation *en masse* and set off for South Dakota, vainly looking for a new home where they could continue their tribal life.

The Dawes Act had disastrous economic consequences as well. The best land was generally sold and the plots remaining to the Indian were seldom suitable for small-scale general farming. When trust restrictions were removed – which happened with increasing 'liberalism' – individual Indians, unused to money and often not fully understanding the concept of property, frequently sold their land at bargain prices and then lived off the proceeds until they were broke. If trust restrictions remained in force, after one or two generations there were so many heirs to a particular allotment that it could not be divided and was generally leased out to whites; the rental, in many cases, amounted to less per heir than the cost of the stamp required to send it. The Oglala Sioux Pine Ridge reservation – the scene of the Wounded Knee massacre – exemplifies the effects of government policy. In the days after their defeat the Indians there began to reconstruct their life on the basis of a tribal livestock operation for which they showed considerable ability, and with the help of an interested agent they had built their herd up to 40,000 head by 1912. Allotment of the reservation began late, but by 1916 its 2.5 million acres had been divided up; the following year a new agent suggested that the Oglala should sell their herd and produce wheat to aid the war-effort and since the tribe had neither the capital nor the experience for arable farming the bulk of their land was leased to whites. By 1930, about 26% of the allotted land had been sold by individual owners, 36% had passed into heirship status and been rented out on a virtually permanent basis to non-Indians, and the reservation had become so fragmented and chequerboarded that the kind of co-operative enterprise for which the tribe's land and traditions fitted them had become almost impossible.

Other problems arose from the trust provisions. When land was required urgently blanket certificates of competency were issued so that Indians could be 'legally' parted from their allotments; when it was more profitable to perpetuate restrictions perfectly capable Indians were declared unfit. In Oklahoma there was a thriving community of professional guardians who could be assigned by conniving judges to supervise Indian trust properties; in one case, less than nine weeks after the death of a Creek man in an accident, a total of eight guardians had been appointed to administer his estate, from which they were to be paid. The Osage, on whose Oklahoma reservation oil had been found, were particularly big business for racketeers, who managed through various forms of corruption to dispose of some 90% of the tribe's $20 million p.a. oil income and even killed in pursuit of their aims; from 1921 until 1925, when guardianship was removed from private hands, there were 24 unsolved murders in the Osage community.

In the early 1920s some of these abuses began to come to light. The Indians were no longer a military threat or an economic obstacle and they had a distinguished record of service in the First World War, for which they were rewarded with a wholesale conferment of citizenship in 1924. Indian reactions to this supposed munificence were not entirely favourable – it was regarded by many as an attempt to undermine further their tribal identity and independence – but it did reflect the growing sympathy with which native people were viewed. Public interest was increased by the efforts of Harding's Secretary of the Interior, Albert Fall, to terminate federal responsibility for the Indians and to dispossess the Pueblos of their ancient lands by two pieces of legislation so outrageously unjust that native leaders managed to create widespread opposition to the measures and secure their defeat in Congress. Even before this point, Fall had been removed from office for corruption and in the more favourable political climate following his departure a new Secretary of the Interior asked Lewis Meriam of the Institute for Government Research to conduct a thorough investigation of the conditions of Indian life.

The Meriam Report

The Meriam Report was the first comprehensive description and analysis of what had happened to native people since the end of the Indian Wars. When it was published in 1928 many Americans, who had previously been confident that the Indians were out in the country somewhere, making progress, were shocked at its contents. Meriam found that most Indians were poor and many were destitute; that their housing, sanitation and health were appalling; that 'no sanatorium in the Indian Service meets the minimum requirements of the American Sanatorium Association'; that the care and education of Indian children in boarding schools were 'grossly inadequate' and that Indians generally were discontented, unhappy and lacking in hope and initiative. The report blamed these conditions primarily on the allotment policy, which had not recognized the 'strength of the ancient system of communal ownership' and which had 'largely failed in the accomplishment of what was expected of it'. The Indians had not acquired the skills needed for survival in the white world and had been deprived of their own traditions; the consequence was that many Indians, especially the young, were caught between two cultures, unable to provide

decently for themselves socially or economically, and that government expenditure on them, far from diminishing as Dawes had predicted, had in fact risen. The only beneficiaries of the General Allotment Act had been racketeers and land speculators.

The Report suggested a number of urgent measures to improve the situation, and some of these were implemented under the Coolidge and Hoover administrations, but it was not until the election of Franklin Roosevelt in 1933 that a comprehensive and radical change of direction in Indian policy was begun. The new President appointed as his Commissioner for Indian Affairs John Collier, an ardent admirer of the Indian spirit and Indian societies and a persistent critic of the B.I.A. Collier believed that the prime function of the Indian Service should be 'the development of Indian democracy and equality within the framework of American and world democracy' and that the most important factor in attaining this aim was the 'continued survival, through all historical change and disaster, of the Indian tribal group, both as real entity and as a legal entity'. A young lawyer, Felix S. Cohen, was commissioned to produce a study of the Indians' legal position, and he found that under U.S. law they still rightfully enjoyed the place accorded them by Chief Justice Marshall: they were 'distinct, independent political communities retaining their original natural rights'. This discovery underpinned Collier's entire approach to the 'Indian Problem'. In the cornerstone of his new policy, the Indian Reorganisation (Wheeler-Howard) Act of 1934, the sovereignty of the tribes was again recognized and they were empowered to draw up constitutions for tribal governments that would assume administrative, judicial and fiscal control over the reservations. The further allotment of tribal lands was halted and existing allotments were not to be sold except in emergency; a $2 million p.a. appropriation was to be made for Indian land acquisition, a $10 million rotating loan fund was established to provide capital for plant and equipment and tribal governments were to be given access to expert advice concerning soil conservation, education and economic development. Similar measures were enacted for the native peoples of Oklahoma and Alaska, whose legal position was somewhat different. Additional legislation extended religious freedom to Indians as to other Americans, and the Johnson-O'Malley Act of 1934 gave the B.I.A. authority to make contracts with other agencies, federal, state and local, for the provision of specific programmes. New educational schemes, with an emphasis on providing practical, relevant training, were undertaken, and Indians were encouraged to participate as far as possible both in planning and running projects that affected them and in determining long-term goals. Certain improvements which Collier had urged, however, such as the consolidation of lands fragmented by the sale of allotments and a far greater financial autonomy for the tribes, proved unacceptable to Congress.

Each Indian community was given the opportunity to vote on whether or not to accept the Indian Reorganization Act, and in the event 191 tribes accepted it and 72 – including the Navajo – rejected it. There is evidence that Collier intervened at Pine Ridge and elsewhere to secure Indian acceptance, but his interference was at least motivated by genuine and passionate, if sometimes misguided, concern for native people. During his Commissionership the government embarked on the most intelligent, far-reaching, practical and realistic series of programmes ever undertaken in Indian Affairs, designed, as he put it, to enable the Indians on 'good, adequate lands of their own, to earn decent livelihoods and lead self-respecting, organized lives in harmony with their own aims and ideals, as an integral part of American life'.

As with the implementation of the Dawes Act, it is difficult to assess the effects of Collier's policy in human terms, but there are hundreds of accounts of groups and individuals who managed to use the encouragement and facilities extended to them to overcome their apathy and despair and embark on constructive projects that transformed their lives for the better. Despite the limitations imposed by the Depression, the War and the inexperience of the Indians, whose initiative and enterprise had been systematically crushed, the 'Indian New Deal' achieved remarkable results. In 1948 the B.I.A. announced that 'since the beginning of agricultural extension work on Indian reservations, more than 12,000 families have been completely or partially rehabilitated and are now wholly or nearly self-supporting'. In the same period 4 million acres (of an estimated requirement of 25 million acres) had been acquired by or for the tribes; Indian beef-cattle holdings increased by 105% and their yield of animal products by 2300%. $12 million had been loaned to Indians for various economic enterprises and only $3627 had been cancelled as uncollectable, a record that made native people 'the best credit risk in America'. Altogether, in the 1940s the government seemed at last to have evolved a policy which was understanding of and responsive to the needs of its native people and which was gradually working to solve the 'Indian Problem' not by physical and cultural genocide but by developing a permanent and independent place for the tribes in American society. To many people, including Collier, the ghastly mistakes of the previous 450 years had been left behind for ever. In his book *Indians of the Americas – the Long Hope*, Collier entitled the chapter dealing with the events leading up to the Indian New Deal: 'Final Struggle commences and prevails.'

Collier was mistaken in his optimistic prediction because, like other policy-makers and administrators, he failed to see that the situation of the Indian is the outcome of powerful social, cultural, economic and historical factors which, from the earliest contacts, have been operating in both white and native communities and which will not be permanently halted or transformed by purely political decisions. Just as men such as Dawes and Fall under-estimated the strength and durability of the tribal system and tried to deal with the Indians as individuals without a past or a society, Collier, with all his unique understanding of the native, under-estimated the fundamental forces in the white world which had always worked and were still working towards the destruction of the Indian. Even before Collier's resignation in 1945 these forces were beginning to make themselves felt.

The first phase of the reaction followed a familiar pattern. 'Humanitarians' argued that Collier's work was promoting 'tribalism' and 'undesirable native traits' and retarding progress, and like Dawes before them they claimed that the Indian's best interests would be served by his rapid absorption into 'mainstream America'. Whereas Dawes, however, had seen assimilation as a duty to be imposed on peoples defeated by the United States in war, the Indians' new friends presented it as a right which the government could no longer deny to a body of citizens who had contributed conspicuously, and often heroically, to a U.S. victory in the war against Germany and Japan. In the new jargon, the special relationship became 'a degrading wardship' from which the native must be liberated, and a number of well-intentioned but ill-informed people took up the cause of 'Indian civil rights'. The Congress, rife with ancient – and partly justified – suspicions of bureaucratic extravagance, and once more under mounting pressure from interest-groups that wanted to divest the natives of their remaining land and resources, was happy to take up the cry of 'Free the Indians!' Collier and his supporters pointed out the inaccuracy of the charges against their policy: the Indians were not wards but enjoyed all the rights of citizenship except, like any other American, when these were limited by local laws; the tribe, without its 'primitive and atavistic connotations', was simply exercising the kind of powers and functions vested in a municipality, and was for most Indians 'the only presently feasible type of local self-government they can share in and use for their advancement'; and the expense of Indian administration, which would diminish as the tribes became more self-sufficient, was largely attributable to the legal costs of the allotment policy and its effect of destroying the Indian land-base and so creating 'a permanently dispossessed and impoverished group' who were economically unproductive and depended on welfare. Like Senator Teller's warning, however, these arguments were ignored. Although they had the advantage of hindsight and could see the human and financial disaster the Dawes Act had caused, Congressmen found the prospect of a few years' cheap land and cheap administration more alluring than a policy that was demonstrably improving the situation in the long term. By the start of the 1950s, the idea of dispossessing and assimilating the tribal Indian had become so respectable again that it was re-adopted as official policy under its new name: termination. Dillon S. Myer, who had been in charge of the wartime internment and resettlement of Japanese Americans, was appointed Commissioner for Indian Affairs in 1950, and his forceful methods – including interference in tribal elections, the sale of Indian land without the tribe's consent and the removal of a B.I.A. superintendent who had upheld Indian rights – set the tone for the next decade. Myer had no illusions that native people might want to be liberated, but he insisted that, 'we must proceed, even though Indian co-operation may be lacking in certain cases'.

The definitive statement of the Termination policy was HCR (House Concurrent Resolution) 108, adopted by Congress in 1953, which declared that 'at the earliest possible time' the Indians should be 'freed from all federal supervision and control'. The Secretary of the Interior was asked to prepare a list of tribes 'advanced' enough to be terminated immediately, and HCR 108 was followed a few days later by Public Law 280, which extended a state control over all the Indians – with a few specified exceptions – in five states, and empowered other states to enact similar legislation for themselves.

From 1954 until 1960 a total of sixty-one Indian tribes and bands were terminated. Most of the groups involved were small and impoverished and had little idea of what was happening to them, but a few – most notably the Menominee of Wisconsin and the Klamath of Oregon – were large, wealthy tribes with sizeable reservations and considerable natural resources who fought the government decision for some years. Klamath spokesmen went to Washington and argued that although their people were paying for virtually all the federal services they received they were still largely uneducated and unprepared to make vital decisions concerning their own future; they asked that supervision should be extended for twenty-five years or so while the tribe readied itself for the transition, but Congress rejected their plea and enacted Termination legislation. As they themselves had predicted, the Klamath, like so many other Indians before them, were driven into disarray when the white man suddenly confronted them with the necessity of making life-or-death choices without time to consider the consequences. Disorganized and quarrelling among themselves about what should be done, 77% of them were finally induced to vote for sale of their tribal assets and distribution of the proceeds, while 22% voted to turn the tribe into a corporation so that the property could continue to be held in common. Accordingly, 22% of the Klamath forest was set aside for the minority and the remainder was sold off with the predictable consequences: many Indians, unused to dealing with large sums of money and with no training to equip them for the white world, rapidly exhausted their funds and became disorientated and destitute. The Menominees opposed termination more consistently and were finally only forced to accept it by government strong-arm tactics; the Indian Land Claims Commission, established in 1946 to compensate tribes whose land had been unjustly taken, made an award totalling $1500 each to help the Indians, and Congress decided that this money should not be paid unless the tribe drew up a scheme for an end to supervision. The Menominees, also split by internal argument, reluctantly did so and their reservation became a Wisconsin county, but by 1961, when the plan was eventually implemented, they were virtually bankrupted, and state taxation and problems created by a new, predominantly non-Indian board of management for their lumber operations, left them in a chronically precarious economic state.

The termination of 'advanced' tribes was accompanied by a policy of 'withdrawal' – which in practice meant freezing the Rotating Loan Fund, scrapping development projects and running down federal services – from other Indian communities. By thus starving the reservations of the resources they needed to build economic self-sufficiency the government hoped to encourage tribespeople to migrate in search of work to the cities, where, it was assumed, they would quickly become absorbed in the general population. 'Relocation Centres' were established in a number of cities across the nation and the removal expenses of potential Indian wage-earners were paid by the government. As it became clear that a substantial proportion of the migrants quickly gave up and returned home – 32% in 1953, for example – larger and larger sums were appropriated to give Indian workers longer and more comprehensive cover. In 1956 $1 million was used to relocate more than 12,500 native people, and the following year the appropriation rose to $3.5 million.

There is no question that some kind of programme to help Indians subsist away from the reservations was necessary. With improving medical facilities the native population, though still far more prone to disease than non-Indians, was rising rapidly again – between 1940 and 1960 it increased from 355,000 to 509,000 – and it was obvious that even in optimum conditions most tribes could not support all their members on their own lands. The relocation policy, however, was a blatantly political measure to destroy the tribes rather than an attempt to strengthen them economically, and like other efforts to solve the Indian Problem by getting rid of the Indian it was inept, psychologically unrealistic and doomed to failure. Driven to seek employment in the cities even though they were usually untrained and quite unprepared for urban life, the often reluctant migrants were deliberately relocated far from their reservations and the reservations themselves were threatened and eroded in an attempt to weaken family and tribal ties and so increase the independence of the individual. In fact, as a survey conducted in 1956 showed – and anyone with a modicum of common sense would have predicted – it was precisely those Indians with a secure background and the knowledge that they could return whenever they wanted who adapted best, and those who were anxious about their home base who kept running back to make sure it was still there. Like so many other policies, too, relocation set up unnecessary tensions among the Indians themselves; people who 'stuck it out' on the beleaguered reservations tended to regard those who had left as traitors who had abandoned their 'Indianness' under pressure. This would have been largely avoided if the government had not made reservation life a test of faith and courage.

A study carried out by the Community Welfare Council of Minneapolis in the mid-1950s suggests what actually happened to most relocated Indians. Coming into the city poorly dressed, with inadequate funds and little or no experience of towns, they had little idea of how to set about finding or keeping suitable work. Their housing conditions were deplorable: 'One Indian family of five or six, living in two rooms, will take in relatives and friends who come from the reservations seeking jobs until perhaps fifteen people will be crowded into the space', and in one case sixteen Indians of all ages were found crammed into one unventilated attic. Problems of maladjustment and unease in an alien culture were acute; during a test period of thirteen days 450 cases were heard in the police court, seventy-two of which involved Indians who were all, with one or two exceptions, charged with drunkenness. The symptoms of Indian distress inevitably created hostility among the larger population and enabled native people to be dismissed as 'drunk Indians' without investigation of why they should behave as they did. The average age of death among Minneapolis Indians in 1955 was 37 years, as opposed to 46 years for all Minnesota Indians and 68 for Minnesota residents.

VI. A NEW VOICE

By the latter half of the 1950s it was clear that Termination and relocation were drearily reproducing all the old problems of poverty and maladjustment that had resulted from earlier attempts to abolish the tribal Indian, but towards the end of the decade a new element in the situation was apparent: concerted opposition among native people themselves. For some years groups of Indians had been working to forge strong national and regional organizations which could effectively present native views on a pan-tribal basis. They had encountered stiff opposition both from among their own people – traditionalists feared contamination by the white man's ways and a loss of tribal identity, while many demoralized Indians were frightened of appearing 'troublemakers' – and from officials and paternalists, but they had persevered and succeeded in creating a number of bodies, including, in 1944, the National Congress of American Indians, which was open to every recognized tribe in the country and which followed a consistently anti-Termination line. The development of an Indian political voice was accelerated by a number of other changes: the Second World War and American involvement in Korea had brought not only the 25,000 native servicemen but also many thousands of civilian Indian war-workers into close contact with whites and produced a generation of restless young Indians who were less frightened of the white world and more aware of how it worked than their fathers had been and at the same time bitterly angry at the reservation conditions to which – supposedly as heroes – they had to return. The combination of these factors gave the Indians an unprecedented unity and force, and by 1960 they had managed to bring about an uneasy halt in the Termination process. Both the Presidential candidates that year announced that they opposed forcing the issue of withdrawal of supervision, but although the policy has never been actively resumed it has continued to haunt Indian politics ever since.

Throughout the 1960s Indian political activity, generated by continuing changes within the native community and stimulated by

movements such as Civil Rights and Black Power, consistently increased. Its essential aim was established early in the decade at the Chicago American Indian Conference of 1961, where representatives of ninety tribes discussed their views on government legislation and policy and agreed almost unanimously that they wanted to retain their Indian identity and their special Federal relationship; they issued a 'Declaration of Indian Purpose' which contained proposals for improving government programmes and allowing greater self-determination and concluded:

'What we ask of America is not charity, not paternalism, even when benevolent. We ask only that the nature of our situation be recognized and made the basis of policy and action. In short, the Indians ask for assistance, technical and financial, for the time needed, however long that may be, to regain in the America of the space age some measure of the adjustment they enjoyed as the original possessors of their native land.'

As the decade progressed, however, growing differences in emphasis and approach, which were eagerly seized on by those hostile to native aspirations, began to appear among the Indians. The National Indian Youth Council, founded in 1961 by ten college-educated Indians, reflected the preoccupations of young native people who were alarmed at the prospect of being schooled away from their roots but were at the same time becoming more and more impatient with the immoveable machinery of the B.I.A. and the timidity of older Indians who were too fearful or too corrupted to demand radical action. The N.I.Y.C. leaders – Mel Thom, a Nevada Paiute; Clyde Warrior, a Ponca from Oklahoma; Bruce Wilkie, a Washington State Makah; and others – therefore pressed both for a clearer definition of Indian culture, identity and rights and for more urgent and more militant action to protect them, and as a first focus for these concerns they chose the issue of native fishing rights in the northwest states of Oregon, Washington and Idaho. In these areas fish had always been – and to a large extent remains – the most important source of food for most Indians and an essential part of their cultures, and in the 19th century treaties by which the tribes ceded the bulk of their land to the United States, the Federal government recognized their right to continue fishing in their 'usual and accustomed places'. As a result of damming, pollution and large-scale commercial operations, however, the stock of fish in the region was drastically depleted and the states had introduced conservation laws that they tried, with some force, to apply to the tribespeople. The N.I.Y.C. organized a concerted campaign, involving a series of 'fish-ins' and demonstrations, to draw public attention to the problem and compel the government to act in defence of rights guaranteed in its own treaties. When the B.I.A. responded by dithering and procrastinating in a welter of embarassment, the Indians decided to protect themselves and sent groups of armed men to deter, and if necessary resist, interference by the state authorities. There were several violent confrontations, but the campaign, which is still going on, did succeed in highlighting the issue and in forcing the government, very late in the day, to file charges against the states on behalf of the Indians.

The tactics of the N.I.Y.C., however, worried other groups within the native community. The Council dismissed many of its critics, particularly among the tribal chairmen, as 'Uncle Tomahawks' who had been bought off by the B.I.A. reward system and had a strong vested interest in maintaining the *status quo*. There is no question that many of the more conservative Indians genuinely felt that the aggressive and publicity-seeking behaviour of the young people was not the 'Indian Way', while many others feared that it would prove counter-productive by creating a white backlash and so enabling the government to continue Termination with impunity. The authorities played upon these fears, which for years had been the stock-in-trade of the more repressive Federal officials, to sow doubt and discord and to silence Indian criticism of the system.

Some practical changes, however, had already begun to occur. In 1964 the Economic Opportunity Act, the main legislative weapon in President Johnson's War On Poverty, gave Indians for the first time access to funds and agencies that were not dominated by the B.I.A. The Office of Economic Opportunity's Indian budget was small – only $4 million in the first year – and completely inadequate for the kind of long-term economic development that the reservations needed, but because it was largely free of the pig-headed restrictions that made much B.I.A. expenditure virtually worthless it achieved disproportionately good results. Indians were able to plan and carry out programmes that responded to the needs, as they perceived them, of their own communities, and for most of those involved this was the first opportunity they had had to act on their own initiative. At the Standing Rock Sioux reservation, for example, a total of $600,000 was given for projects that included: the establishment of a model tribal cattle ranch, employing between thirty and fifty Indians, to teach ranch management; Headstart educational schemes in isolated rural communities; a programme designed to increase the involvement of the elders in tribal life, and courses in tribal politics. The local Sioux Headstart director said: 'Nothing like this has ever happened here before. We were never given the chance.' The Indian O.E.O. director for the Makah tribe in Washington State was equally enthusiastic: 'It's the most exciting thing that's happened out here in years. We are really doing something for ourselves, by ourselves.' Vine Deloria Jr., the Sioux writer and lawyer, said: 'With five men on its Indian desk the O.E.O. has done more to shake up things than the Bureau of Indian Affairs has done in the last one hundred and forty years.' In the new atmosphere generated by the O.E.O. several local economic projects were started which demonstrated that Indian groups *could* free themselves from the desperate pattern of poverty and government handouts by undertaking well-planned schemes tailored to the resources of a particular reservation community and the culture and objectives of its members. In Washington State, for example, the American Indian Development Association helped the Lummis, who in the early 1960s were one of the country's poorest tribes, to establish a successful fish-farming business which makes use of the Indians' own inclinations and cultural traditions and at the same time meshes in with the economy of the larger society. Oklahomans for Indian Opportunity, started in the mid-1960s by two Comanche women, provided similar assistance to the native people of Oklahoma, whose reservations have been irrevocably fragmented and who need help in buying and running suitable enterprises that will involve them more fully in the life of the largely non-Indian community around them.

The success of the War on Indian Poverty, despite its many shortcomings and limited funds, led to a real excitement among many native leaders and non-Indian sympathizers, who believed that with a radical restructuring of the B.I.A. and an immediate re-channelling of funds to the reservation communities the Indians would at last genuinely be able to take control of their own destinies. In a report commissioned by the incoming President Nixon in 1969, Alvin Josephy, one of the country's leading authorities on Indian Affairs, proposed a complete reorganization of the Bureau to make it more responsive to Indian needs and wishes and suggested that it should be removed from its hopelessly compromised place in the Interior Department to an administrative position where, with the highest authority, it could by-pass bureaucratic entanglements and work efficiently and exclusively for Indian interests.

These suggestions were, however, rejected by the Indian community at large because they were seen as too dangerous. Remembering that it was those tribes which had made the most progress under Collier that had been the first to be selected for Termination, native people suspected that if they were successful in running their own affairs some future government would feel justified in unilaterally ending the special Federal relationship. This was the one eventuality that must be avoided by the Indian at all costs, even at the cost of remaining in a condition of penurious and demoralizing dependence, because it would lead inevitably to 'the death of his people'. Paralyzed by the terror of Termination, Indians felt unable to commit themselves wholeheartedly to measures that might make them more self-reliant. As the Blackfoot tribal chairman, Earl Old Person, said: 'You cannot cook a meal in your tipi if someone outside is trying to burn it down.'

In an attempt to allay these fears, President Nixon started his 1970 Message to Congress on Indian Affairs by saying:

'Because termination is morally and legally unacceptable, because it produced bad practical results, and because the mere threat of termination tends to discourage greater self-sufficiency among Indian groups, I am asking Congress to pass a new Concurrent Resolution which would expressly renounce, repudiate and repeal the termination policy as expressed in House Concurrent Resolution 108 of the 83rd Congress.'

He went on to outline an ambitious and comprehensive programme of reform. Tribes equipped and ready to run their own Federal programmes were to be allowed to do so; Indian parents were to be given greater control over the education of their children; economic aid was to be trebled; special assistance was to be given to urban Indians; and, as a gesture of good faith, the sacred Blue Lake of Taos Pueblo, which had been taken without consultation or compensation in 1906 and which the Indians had been trying to get back ever since, should be returned to the tribe.

These proposals were met with widespread scepticism, but in fact some modest progress was made towards implementing them. After a five month Senate battle the Blue Lake was restored to the people of Taos; the composition of the Congressional Sub-Committees on Indian Affairs changed to make them more responsive to native needs; and Louis Bruce, a businessman of Indian ancestry with strong Indian sympathies, was appointed Commissioner of the B.I.A. Most important of all, two pieces of legislation were passed (in both cases after Nixon's resignation) which had a considerable impact on some reservation communities: the Indian Self-Determination Act, which allowed a handful of tribes, such as the Zuni, to take over responsibility for running most or all of their own Federal programmes, and the Indian Education Act. The Education Act, framed after considerable consultation with the tribes, gave Indian communities an unprecedented opportunity to run their own schools – or, where Indian children had been absorbed into the public school system, to shape programmes for them – and to emphasize their own histories, cultures and values. Significantly, the Act provided for its measures to be carried out not by the B.I.A. but by the Department of Health, Education and Welfare, where the head of the Indian Education Office was given the rank of Assistant Secretary to allow him direct access to the White House.

It is possible that more of Nixon's reforms would have been implemented, but by 1973 the President was otherwise engaged with Watergate and his programme ran out of steam. Neither of his successors, Presidents Ford and Carter, considered Indian Affairs a high priority, and as a result such initiatives as there were during the rest of the 1970s came from outside the White House. In 1975, for example, Congress, noting that 'there has been no comprehensive review of the conduct of Indian Affairs since the 1928 Meriam Report' and that 'policy has shifted, and changed over the years without rational design', decided to establish an American Indian Policy Review Commission to help the government 'fulfill its Indian responsibilities'. Reporting two years later, the Commission, made up largely of professional, relatively assimilated Indians, echoed Josephy's criticisms of the B.I.A. and repeated some of his proposals for change, and like him it was in the end almost completely ignored. Continuing suspicion of change among reservation Indians, resistance to reform within the B.I.A. itself and a lack of political commitment in the Carter administration combined to make it a dead letter. The few of its recommendations which were carried out, such as the elevation of the head of the B.I.A. from the rank of Commissioner to that of Assistant Secretary, had little more than a cosmetic effect.

Faced by the apparent immoveability of the B.I.A. and the lack of a clear direction in Indian Affairs from the government, tribal leaders increasingly adopted a strategy of fighting for their rights through the legal system. Starting in the late 1960s, a number of organizations were set up, often initially with government money, to press in the courts for redress of abuses perpetrated by the bureaucracy or the administration. Among the most important of these was the Native American Rights Fund, which grew with help from the Ford Foundation and several individuals out of a highly successful War On Poverty project in California in the 1960s. Through a series of successful court cases, N.A.R.F. forced the government to move on a number of issues, such as water rights at Pyramid Lake, on which the tribes had for years been trying without success to get some action. Even more spectacularly, in a move which sent a *frisson* through white America, it encouraged several groups of non-recognized Eastern Indians, such as the Penobscot and Passamaquoddy in Maine, the Wampanoag in Massachusetts and the Narragansett in Rhode Island to present claims for large areas of land in the original thirteen colonies. Despite the alarm and incredulity of non-Indian Americans, who had considered the New England tribes safely consigned to the history books, N.A.R.F. lawyers were able to demonstrate that most of these claims were justified because the Indians' aboriginal title had not been extinguished under U.S. law. Notwithstanding intense local opposition, especially in Maine, the United States was compelled to settle with many of the tribes. The Passamaquoddy and Penobscot, for example, received 300,000 acres of undeveloped land and $27.5 million, and they have since confounded critics of the deal, such as the Governor of Maine, by investing their new-found wealth in small businesses that have brought prosperity and jobs – Indian and non-Indian – to poor and remote parts of the state.

The failure to bring about rapid reform also, during the late 1960s and early 1970s, bred an upsurge of Indian political activism. Following the trend set by the National Indian Youth Council, organizations such as the American Indian Movement (A.I..M.) (founded in Minneapolis in 1969) were established to voice not so much specific grievances as a general sense of alienation. Their constituency was the growing number of native people throughout the country who were impatient with the *status quo*, who felt excluded by the B.I.A.'s definition of who an Indian is, frustrated by its slowness and inefficiency or unrepresented by the system of tribal governments over which it presided. The new radicalism appealed particularly to young urban Indians, many of them the children of people who had relocated to the cities in the 1950s, who feared that they might be culturally disinherited and were seeking to reassert their Indianness by returning to the roots of native culture and aggressively campaigning for the rights and integrity of the tribes.

Although they were often contemptuously dismissed by reservation Indians, many of whom feared their tactics, the young radicals succeeded in drawing attention to the problems of native America through a series of confrontations and demonstrations. The first of these came in 1969 when a party of young people from different tribes took possession of the abandoned island of Alcatraz by 'right of discovery' and tried to establish a centre there for the study and perpetuation of Indian cultures. They realized, they said, that 'there are more problems in Indian communities beside having our culture taken away. We have water problems, land problems, "social" problems, job opportunity problems, and many others'. They felt, however, that 'if we are to succeed we must hold on to the old ways . . . The only reason Indian people have been able to hold on through decades of persecution and cultural deprivation is that the Indian way of life is and has been strong enough to hold the people together.'

The Alcatraz occupation was finally ended by shortage of water and other supplies, but it was followed three years later by another major protest. At the end of 1972 the 'Trail of Broken Treaties', organized by A.I.M. and several other groups, converged on Washington to present a list of grievances and a twenty-point programme designed to stress the treaty rights of the tribes and make possible 'an honest relationship' between natives and the government. When the demonstrators arrived there was no decent accommodation for them and the government was undecided about how to treat them, and after considerable delays, when it became clear that no housing would be provided for the Indians and that no-one of importance would speak to them, they occupied the B.I.A. building and barricaded themselves in against possible attempts to evict them. After six days of extreme tension they were finally induced to leave, without bloodshed or legal prosecution and with a promise, later retracted when it transpired that they had taken some documents with them, to investigate and answer the Twenty Points. A few months later, on the last day of February 1973, members of A.I.M. occupied the village of Wounded Knee, the scene of the 1890 massacre, in order to draw attention to the problems of Indians generally and of the Oglala Sioux at Pine Ridge in particular. They held out for seventy-one days, attracting world-wide publicity and losing two of their number killed, before a truce was negotiated.

One of the Washington demonstrators said: 'The myth has been perpetuated that we don't exist any more – that's the hardest thing we have to fight against.' Both the Wounded Knee occupation and the Trail of Broken Treaties were designed to bring to public notice the fact that Indians do still exist, but the complexity and humanity behind both demonstrations were left strangely obscure. At Pine Ridge, where a deeply unhappy conflict had developed between culturally traditional, predominantly full-blood Oglalas on one side and a mixed-blood 'establishment', heavily identified with the white farming interests that work most of the land, on the other, there was chronic unemployment and alcoholism, appalling violence – nearly 200 killings in three years – and a range of terrible physical and social conditions. Hardly any attention was paid to these circumstances in the furore during and following Wounded Knee. Reaction to the B.I.A. occupation showed a similar lack of concern for the Indians' underlying problems and their proposals for solving them; countless headlines announced that the Indians were 'on the warpath', cartoons showed war-bonneted warriors confronting bureaucrats, and there was an air of incredulity and fantasy about the whole episode. This did not, however, lessen America's sense of outrage. Pictures of urinals and wash-basins broken by the demonstrators scandalized millions of Americans,

and newspapers across the country thundered their disapproval: 'Through the years there has been a deep reservoir of public sympathy for the American Indians', declared the *Washington Evening Star*, 'but it is bound to be diminished by the atrocious spectacle staged here in recent days. It could be dried up almost totally if there are more such dangerous and destructive acts by Indian extremists.' Members of the National Tribal Chairmen's Association, formed in 1970 to counteract the influence of urban radicals in the N.C.A.I. and dismissed by the A.I.M. as being 'in the hip pocket of the B.I.A.', showed their concern that the demonstration might provoke a violent response and 'set back the Indians' cause twenty years'. Officials encouraged them to hold a press conference at which they dismissed the demonstrators as 'dissident urban-oriented Indians' and demanded that those who had occupied the B.I.A. should be prosecuted. Any government consideration of the Trail of Broken Treaties' Twenty Points, they asserted, would result in 'undermining and breakdown of the duly elected representatives of the various tribes'.

To some extent, of course, the demonstrators were themselves responsible for the storm of ignorant prejudice and recrimination that greeted them. The rhetoric with which they presented their case had a slightly unreal Hollywood ring which made it easy for many Americans to see them in the most simplistic stereotype terms, and their militancy inevitably aroused considerable – and to judge by the press campaign justified – fears among older Indians whose political awareness had been formed not by the anti-War movement and Civil Rights but by the Termination period. Nonetheless, the demonstrations clearly showed that there was something dramatically wrong and should have led Americans, as the Navajo Chairman Peter MacDonald said, 'to analyze what really caused our people to rise up in frustration'. Instead, the Twenty Points, which were in fact the outcome of discussion among a variety of different groups and contained a number of moderate and intelligent proposals, were never considered at all; the 'reforming' Commissioner Bruce and several of his supporters at the B.I.A. were removed, and the bureaucracy settled down again into its old ways.

Although there were further eruptions of Indian discontent and anger throughout the 1970s, they never again received the massive exposure given to Washington and Wounded Knee. The mood of America was changing, and with the end of the Vietnam War the era of public protest and political activism effectively came to a close. By the end of the decade native people had sunk back into obscurity to become once again, as Vine Deloria Jr. put it, 'invisible'.

VII. THE REAGAN ERA

After the hiatus of the Ford and Carter years, Indian Affairs under President Reagan has again been receiving strong political direction from the White House. His administration has committed itself to potentially the most radical native policy since Termination.

Reagan's approach to Indian issues bears all the hallmarks of his Presidency: a genius for telling people what they want to hear combined with an ideological commitment to reducing both Federal expenditure and the role of the Federal government in the daily life of ordinary Americans. His Indian Policy Statement, issued in January 1983, cannily addressed itself to the heart of Indian concerns:

'Throughout our history, despite periods of conflict and shifting national policies in Indian affairs, the government-to-government relationship between the United States and Indian tribes has endured. The Constitution, treaties, laws and court decisions have consistently recognized a unique political relationship between Indian tribes and the United States which this Administration pledges to uphold.'

Among the measures which he went on to outline were: that the tribes' status as governments should be enhanced by shifting the White House's dealings with them from the Office of Public Liaison to the Office of Intergovernmental Affairs; that Congress should be asked to expand membership of its Advisory Council on Intergovernmental Relations to include a tribal government representative; and that House Concurrent Resolution 108, which called for Termination, should be repudiated and replaced by 'a resolution expressing . . . support of a government-to-government relationship.'

The key to these proposals was that they cost nothing but had a substantial symbolic effect in reassuring the native community. When the President proceeded to dock $50 million from expenditure on Indian programmes and to suggest a range of fundamental economic changes, the fact that he was doing so in the name of a government-to-government relationship went a long way towards insulating him from Indian criticism and suspicion.

Reagan claims as his model in Indian Affairs President Nixon's policy of self-determination, and in some respects, such as his emphasis on encouraging the tribes to contract with the government for the provision of public services in their own communities, his approach can be seen as a continuation of his predecessor's. At root, however, his aim is a far more far-reaching transformation of Indian life. Where Nixon proposed a threefold increase in economic aid to help the tribes develop their own economies, Reagan's objective is to reduce the presence of the Federal government by shifting the whole burden for developing and sustaining the reservations on to private enterprise.

To suggest how this change might be accomplished, Reagan appointed a Presidential Commission, composed mainly of Indian and non-Indian businessmen and with almost no representation from the larger reservations, which reported to him in November 1984. Its recommendations included: overhauling the structure of tribal governments to make them more accountable and, by separating their political and corporate powers, less prone to corruption; amending their legal status to give them the same kind of fiscal and administrative authority as other levels of local government; and replacing the B.I.A. with an Indian Trust Services Administration whose sole responsibility would be the protection of tribal resources. The tribes would then be free to create revenue and incentives by taxation, to negotiate both with departments of the Federal government and with private companies for services, and to make contracts directly with corporations for the exploitation of their mineral and other assets.

Some Indian groups had already started to move in the direction outlined by the Commission before Reagan came to power. In 1975, for example, twenty-five western tribes had formed the Council of Energy Resource Tribes, modelled on OPEC, to help them increase their income from sales of coal, oil, gas and uranium. Since 1980 many other tribes have availed themselves of new measures, such as the Indian Tax Status Act of 1982, to build and operate bingo halls, racetracks, tourist complexes and similar enterprises designed to attract money from outside the reservation. In some areas Indians, encouraged by the Federal government, have bypassed both the B.I.A. and the courts and negotiated deals directly with the state authorities on water and other treaty rights.

The effect of all these changes has been to increase the Indians' integration in the social and economic life of the areas in which they live, and there is no question that, in some places at least, there have been considerable material benefits. There are, nonetheless, growing misgivings in the Indian community about a strategy which, as Rob Williams wrote in the April 1985 issue of the magazine *Indian Truth*, 'encompasses a vision of the Indian as frustrated entrepreneur'. This version of the Indian, argues Williams, an Indian professor of law at the University of Wisconsin, is ultimately as unrealistic as those for which earlier Federal policies were drawn up: 'the yeoman farmer' of the allotment era, or the rugged American individualist just waiting to be set free by Termination.

What worries Williams and others like him is that at bottom the new policy is just another attempt to redefine Indians so as to make them acceptable to American society as a whole. Having failed to assimilate them as individuals, the government is now signalling its willingness to recognize them as distinct communities provided they subscribe to values and develop their resources in ways which fully accord with the needs of the greater society. Although some groups and individuals have used their new freedom to become successful in the way envisaged by the government, they have frequently in the process eroded the social cohesion of their own communities and created destructive divisions between 'progressive' and traditional people. The Fort Peck reservation in Montana, for example, which has pursued an aggressive policy of industrialization and economic expansion, is beset by a pattern of worsening social breakdown which has made it one of the most violent Indian communities in the country.

The problem is, of course, that what has held the tribes together over the years is precisely their rejection of mainstream American values. They have survived, often despite the most appalling hardship, because they have identified themselves as belonging to tribal cultures which, however bruised and distorted, have always remained profoundly at odds with the assumptions and aspirations of non-Indian America. To try to turn the tribe, with its non-individualistic, non-competitive ethos, into a community of eager venture capitalists is essentially to try to kill it, and for this reason Williams, and many other Indians, believe the attempt will inevitably, ultimately, fail:

'... Attempted redefinitions of the tribe have always been rejected by Indian people, and always at great spiritual cost ... because the vast majority of Indian people found the vision of their new selves represented in these policies alien and alienating.'

THE FUTURE

'It remains to be determined', wrote the Flathead Indian anthropologist D'Arcy McNickle in 1973, 'whether in North America self-determination for an indigenous people is to have ideological acceptance and thereby attain enduring political sanction'. This issue, which lies at the heart of the 'Indian Problem', is still unresolved today.

There is certainly some evidence that the Indians' extraordinary endurance may have enabled them to survive into an age when America is mature enough to acknowledge their permanent right to exist. After three hundred years of warfare and almost a century of cultural genocide, the historic goals of the United States – 'progress' and 'assimilation' – have at last been officially disavowed. The last four Presidents have all pronounced themselves to be in favour of 'self-determination', and whatever the shortcomings of their actual policies it is heartening that a commitment to Indian self-determination should be seen as not only acceptable but normative.

A more constructive attitude has also been evident in Congress over the past ten years. Several new laws have helped the Indians to take greater control over their own lives and, in particular, to preserve and strengthen their own cultures. The Indian Religious Freedom Act of 1978, for instance, extended the same kind of rights enjoyed by other faiths in the United States to tribal religions. The effect was not only to legalise certain traditional practices that had previously been proscribed, but also to ensure greater access to, and protection for, burial places and sacred sites that are no longer in Indian hands.

Another piece of legislation, the spectacularly successful Tribally-Controlled Community Colleges Act, has enabled Indian governments to establish centres of further education where tribal members, many of them high-school drop-outs who had no expectation of returning to college, can learn about their own languages and traditions and at the same time gain qualifications that will be useful to them in the non-Indian world.

These changes, however, encouraging though they are, are still fairly superficial. They reflect the dedication and concern of a relatively small number of individuals rather than a profound shift in the attitude of Americans as a whole. While there is unquestionably more public sympathy for the Indians now than there was twenty or thirty years ago, it is still of a largely ignorant and sentimental kind. This stems from the fact that for the vast majority of Americans the Indians and their problems do not belong to contemporary reality at all. Because there are comparatively few Indians and because of their isolation and 'invisibility' the images of them which continue to dominate the popular imagination are still almost all derived not from first-hand knowledge or experience but from a largely mythical history. As Suzan Harjo, Executive Director of the National Congress of American Indians, puts it: 'For most people Indians are in the past tense.' She points out that while there has been a radical transformation over the past twenty years in the way the public views the black community, for example, there has been no comparable change in perception of the Indians. People still talk unthinkingly of braves and squaws, the happy hunting ground and the war path, and liberal Americans who would never dream of using a pejorative term like 'nigger' still enthusiastically follow the sporting fortunes of a team called the 'Redskins'.

The great danger of these lazy and uninformed stereotypes is that they leave the bulk of Americans totally unprepared for the reality of Indian demands and aspirations. As long as native people stay in the history books and the reservations they are acceptable, but the instant they *want* anything that seriously threatens to inconvenience or restrict non-Indians they are quickly resented. Progress in establishing Indian rights consequently often generates a white backlash. The eastern land claims of the late 1970s, for instance, led to hysterical fears of an 'Indian land grab' and to the creation of a nationwide body, the Coalition for Equal Rights and Responsibilities, which lobbied for the ending of the Indians' special status. In the same way, Indian treaty rights in the northwest states continue to anger non-Indian fishermen, and the battles fought in Washington and Oregon in the 1960s and 1970s are now being repeated in Idaho, where sports fishermen bitterly contest what they see as the Indians' unfair right to take steelhead trout and other protected varieties of fish. Similarly, the right of certain tribes to catch a small number of bald eagles each year for ceremonial purposes has aroused the hostility of non-Indians, who are prevented by the eagles' status as an endangered species from hunting it themselves, and a bill has been introduced into Congress to outlaw the practice even though it should be covered by the Indian Religious Freedom Act. Several recent court cases also testify to a growing resentment of the powers exercised by tribal governments over non-Indians on the reservations, in particular their right to administer justice and to raise taxes.

These, and other areas of contention, have given rise to a number of small organizations, some with extreme right-wing affiliations, dedicated to curtailing Indian rights or doing away with them altogether. At the moment, because they generally represent only local concerns and special interest groups, they have little impact at a national level, but as competition for resources between the tribes and non-Indians become more acute there is a real danger of the backlash snowballing into a serious political movement.

The biggest danger of serious confrontation is almost certainly in the area of water rights. The non-Indian population is growing more quickly in the arid west and southwest than anywhere else in the United States, and groups such as the Pyramid Lake Paiutes and the White Mountain Apache of Arizona are coming under increasing pressure from local residents demanding a greater share of the available water. Many tribes are already involved in costly and seemingly endless litigation in the effort to safeguard their treaty rights; others, often at the behest of the Federal government which ought to be protecting them, are being driven into direct negotiations with state authorities and business representatives for a reduction of their allocations. The risk is that the Indians will either have to agree to surrender much of the water on which they depend or will find that, as happened before when they had something that the white man wanted sufficiently badly, the law is powerless to protect them against overwhelming popular feeling. At least one expert, a B.I.A. water rights specialist with strong Indian sympathies, feels that the current round of cases is the most crucial battle for native rights in the 20th century. If the Indians lose, he believes, their communities have no viable future.

The best hope of avoiding a backlash and its consequences must lie in informing and educating non-Indians about the culture, the history and the current predicament of native people. The object should not be to induce a spasm of guilt and self-hatred (something which is quite familiar to Americans and which is invariably followed by a reaction in the other direction) but to create a genuine knowledge and understanding of Indian societies and of the profound dislocation which they have suffered. It will not be easy, not merely because there is a natural aversion to examining an ugly and discreditable area of American life but also because so many of the values and concepts of Indian cultures are alien to a national ethos based on the virtues of individual effort and the infinite possibilities of change. In particular, the traditional Indians' emphasis on collaboration rather than self-assertion and self-fulfillment and their emphasis on a sacred and timeless relationship with the land seem largely incomprehensible to the vigorous immigrant culture of modern America, which consequently tends to underestimate their meaning and importance. Most people in the United States are there because they or their ancestors willingly chose to embrace the dangers and opportunities of a new way of life, and many of them are genuinely bewildered by the native's refusal to do the same, which seems simply thankless and perverse. The advantages of Melting Pot America seem so palpable and the

notion of tribalism so anachronistic that the Indians' continuing attachment to it is often put down simply to laziness. As a result, there is a reservoir of anger and resentment against their rights.

It is plain that education cannot eliminate such prejudices altogether, but the experience of other minorities suggests that it can radically improve the situation. If genuine acceptance of the Indians in the United States is to become a reality, it must be founded on a widespread and knowledgeable awareness of native people as part of *contemporary* America, and this can only be achieved by the creation of a new school curriculum giving far greater and more balanced coverage of their experiences and concerns. A massive nationwide effort is needed to rescue the Indians from a distorted and largely mythical history and establish them as distinct *modern* societies with their own ways of life, their own special rights and, above all, a real future.

Politicians can give a lead in creating this new climate by ensuring that the government scrupulously and conspicuously honours its treaty obligations and continues to explore ways of transferring power back to the Indian communities themselves. These must include a substantial measure of direct economic aid; the present administration's doctrinaire attempt to make native communities self-sustaining by private enterprise alone is based on a blinkered view of the Indians' human and natural resources and threatens in the long term to create even costlier social problems on the reservations. What is required is a consistent commitment, carried through from one government to the next, to help the Indians attain economic independence in a way that increases their cultural adjustment rather than diminishing it. This will unquestionably be difficult, time-consuming and expensive, but critics should be reminded that it is a small price to pay for the land on which the United States is built and that in the long term it will prove cheaper than keeping the Indians in a catastrophic state of perpetual wardship. As a way of suggesting that the new relationship between Federal and tribal governments is more than a temporary change of direction subject to reversal at the next election, some means, such as a constitutional amendment, should be found of permanently entrenching Indian rights.

If, through these and other measures, the position of native people is at last made really secure, they will gradually be able to free themselves from the morbid terror of change which has paralysed so many of their communities during the last three generations. There are already encouraging signs that, among a minority at least, the developments of the last decade or so have begun to breed a more constructive and assured attitude towards the future. After years of feeling that abject dependence or termination were the only two options facing them, tribal leaders have started to talk about a 'third way' forward, in which the Indians retain their land-base and their separate existence but by their own efforts 'get out from under' the bureaucracy. This approach is shown most dramatically, perhaps, by the various Sioux tribes of the Great Plains, who have turned a long-standing land rights battle into a crusade both to create a solid economic base and to recover their autonomy and sense of purpose as a people. In 1979, after a legal battle lasting almost a century, the Sioux received a Supreme Court award of $105 million, the biggest Indian land settlement in American history, as compensation for the illegal seizure of the Black Hills by the United States in the 1880s. To the astonishment of outsiders, and despite a certain amount of internal dissent, the Indians refused to take the money, claiming that the area was sacred to them and was consequently not for sale. They demanded instead the Hills themselves, and in 1985, after more than five years' campaigning by the tribes against fierce opposition, Senator Bill Bradley of New Jersey introduced a bill into Congress providing for all the federally-owned land there, which includes the most important religious sites, to be returned to them. Although it is far from certain that the bill will become law, the process of fighting for it has given the Sioux a degree of unity and direction they have not known since the end of the Indian Wars. The prospect of regaining the land has become vitally important to them not simply because of its enormous spiritual significance and its great economic value, but also because it offers the Indians a chance of reasserting their national sovereignty over more than a million acres of their traditional domain. If the bill is successful, the tribes intend that it should be run not by the B.I.A. but by a pan-Sioux council. The different groups of the Sioux nation which were divided after their defeat by the United States would thus once again be united on land where they could at the same time continue their own strong cultural traditions and engage in activities such as tourism which would integrate them into the local economy.

Such transformations and adaptations can and will occur throughout the native community if they are accepted by other Americans and seen as an opportunity rather than a threat. The United States has nothing to fear and much to gain from a renaissance of Indian societies. If it is at last genuinely ready to show its celebrated generosity and sense of justice to its own first inhabitants, the Indians will slowly emerge from the hopeless obscurity that has shrouded them for a hundred years and, in ways that reflect the full diversity of their humanity and their Indianness, start to find their own places in America and the modern world.

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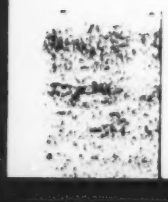

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